

INSIDE: WHAT THE 20TH CENTURY CAN TEACH THE 21ST

Claremont Review OF BOOKS

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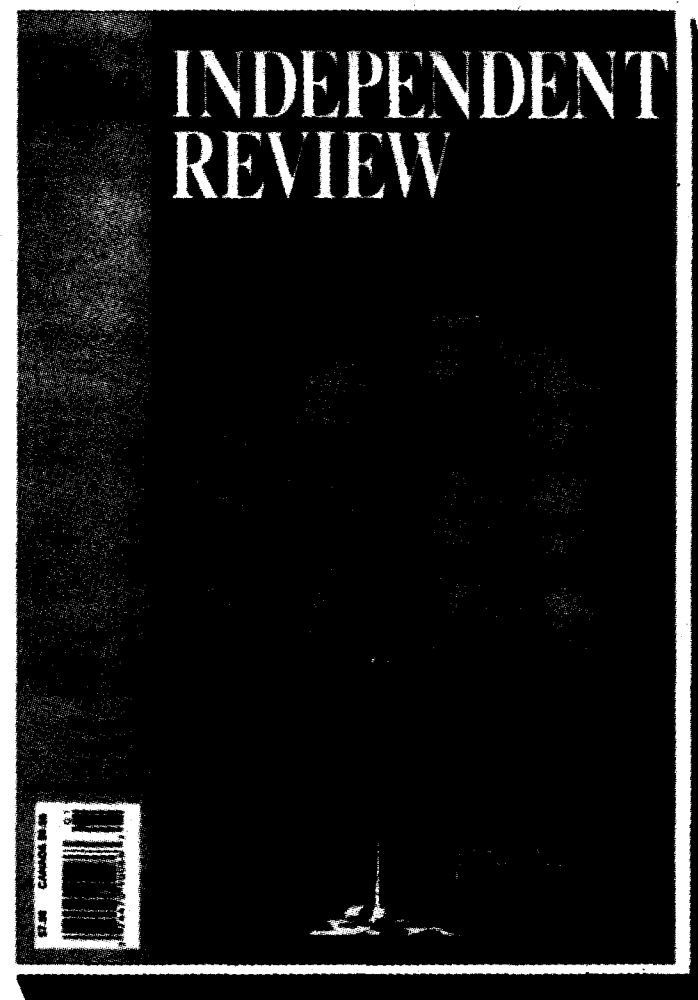
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BOOK REVIEWS

Wake-up Call

BY ANGELO M. CODEVILLA

While America Sleeps: Self-Delusion, Military Weakness, and the Threat to Peace Today, by Donald Kagan and Frederick W. Kagan. St. Martin's Press, 480 pages, \$32.50

AMERICA MUST AWAKEN TO THE seriousness of military power: So argues Donald Kagan, magisterial author of a four-volume history of the Peloponnesian War, along with his son Frederick, who teaches at West Point. The transparent organization of their book makes it easy to follow. A succession of brilliant insights make it, along with Walter McDougall's *Promised Land*, *Crusader State*, the best foreign policy book of the post-Cold War period. Nevertheless, the book's explanations of and remedies for military unseriousness are not what one would expect from a great student of Thucydides.

The book contends that Britain in the

1920s and 30s, and the U.S. in the 1990s, failed to shape the international environment in their own interest as "satisfied powers" because they did not husband enough military power, nor commit it to prevent the growth of forces that upset the international order. The first half of the book is a detailed analysis of British policy with forward glances to our time, while the second takes us from the fall of the Soviet Union to the Kosovo war through the eyes of various U.S. policy makers and with plenty of comparisons to Britain's earlier failures. The book does not argue that America is now facing the equivalent of a Germany going Nazi, or a Japan invading Manchuria, leading to a repeat of World War II. Rather, it shows that U.S. policy in the 1990s resembles British policy in the 20s. It argues that such policies of engagement combined with weakness naturally produce what Machiavelli called the deadly combination of hatred and contempt.

One year after the armistice of November

11, 1918, the British army had shrunk from 3.5 million men to 375,000. Even as the Versailles treaty was being negotiated, Britain was losing the military capacity to consummate victory and hence to enforce any peace on Germany. Had the treaty been milder, Germany might not have caused trouble even for a weak Britain. Had Britain been much stronger, Germany's rage against an even harsher treaty would not have been dangerous. But Versailles was as harsh as Britain was weak. Versailles also left the rest of the world disorganized. If Britain had had no interest in an orderly world, its inability to bring order would not have mattered. But Britain had fought the war in part for the Wilsonian goal of a new world order. When the rest of the world noticed Britain's impotence, that goal too became impossible. Iraqis nearly inflicted on Britain the kind of defeat that would have chased it out of the Arab world. Britain held on to this part of the empire by further mortgaging its hold on

India. Mustafa Kemal's rebels raged against the straits treaty that Britain had imposed on the Ottoman Sultan, overthrew him, and nearly overran the British garrison guarding the straits. Britain saved face by calling on Greek forces and giving in to most of the Turkish demands. Mussolini invaded Corfu, and Britain bought him off.

British leaders convinced themselves nevertheless that the shadow of military power was enough to manage the new world order. They based their military planning on "the ten year rule," the formal assumption that Britain would not face what nowadays we call a "peer competitor" for at least ten years, and that it would take at least ten years from detection for such a peer competitor to arise. Hence they got into the habit of building military forces not to meet military or political goals but rather to meet *a priori* budget ceilings. The book even quotes Winston Churchill in the chorus of support for that ruinous idea.

British leaders thought they could manage the new world order with little military force because it would be secured by "an international organization of states, the League of Nations," or at least by alliances of likeminded states. But it misunderstood the league, and could not bring itself to practice orthodox alliance politics. The most disastrous instance of attempting to straddle the two was the crisis over Mussolini's 1935 invasion of Abyssinia. Mussolini had joined France in opposing the growth of German power while Britain was refusing to do so. Britain had no intention of making war to stop Mussolini, and no one had any illusions that sanctions would do the job. Moreover, everyone knew

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that Franco-British sanctions would leave Italy with only one possible ally: Germany. Nevertheless, Britain asked a worried France to join in sanctions against Italy in the name of the League without giving France any more support against Germany.

British leaders behaved fecklessly because they believed that the public would not support vigorous policies, and by so doing further confused the public. Quotes from opinion leaders at the time who wanted peace but would not consider war to secure it foreshadow similar sentiments in America today.

Even before the Soviet Union had died, American politicians were vying to cut U.S. military power without reference to any but the needs of the day while assuring the public that what was left would be enough for tomorrow. The Gulf War, the book argues, came because Iraq mistakenly but reasonably supposed that the U.S. was beyond supporting its foreign policy with military force. The first Bush administration was potent enough to go to war, but proved its limits by throwing away the victory. Then, it proved its ambivalence again. It formulated a sensible intellectual framework for a "base" U.S. military force to support foreign policy for a long run that included war: Defense Secretary Cheney explained to Congress that "there always is" a next war. But then, it undercut its own case by asking for military forces too small to do the jobs it had outlined. This emboldened opponents, led by Defense Secretary-to-be Les Aspin, to cut U.S. forces down to arbitrary budget numbers on the basis of a "Bottom-Up Review," a home-grown version of the "Ten Year Rule."

On the basis of much-reduced military forces, the Clinton Administration nevertheless tried to take a hand in more of the world's affairs than had its predecessor. The resulting engagements in Somalia, Haiti, Bosnia, and Kosovo, the expansion of NATO's mission to Eastern Europe, not to mention movement in the Middle East and East Asia, amounted to a combination of bluff abroad and pretense of success at home — the equivalent of writing checks with insufficient funds. One of the book's virtues is its dissection of the disastrousness of half-measures. One would expect no less from someone steeped in Thucydides's lesson of the dire effects on the Sicilian expedition of choosing the "middle" strategy. Inevitably, as America's words got louder and its stick got whittled down, as its forces became smaller, its equipment older, its personnel demoralized and spread thinner around the world, as its enemies prospered, it invited contempt. In short, the book abounds in lessons on policy-making.

Much less satisfactory is the book's analysis of why this has happened and what might be done about it. The book indicts Britain's "war weariness" and its contemporary U.S. equivalent, the "Vietnam Syndrome." Above all, it blames politicians for not striving against such domestic senti-

ments. It says that America, properly led, would be willing to "sacrifice her sons and daughters." This formulation raises three questions: Why did the "weariness" or "syndrome" become problems in the first place? How and why did British and why do American leaders lead so badly, and of what would proper leadership consist? And for what should we Americans hazard our lives?

Casualties in World War I were demographically significant. Casualties in Vietnam were not. In the Gulf War, casualties were practically nonexistent. World War I and the Gulf War were victories, Vietnam a defeat. Nevertheless, all these wars turned the British and American people respectively away from muscular foreign policy. The reason has less to do with the quantity of casualties or the verdict of war than it does with the judgment that none of these wars was worth the sacrifice. Why not? Because each one in its own way was ill-conceived. For all that the people got from these wars, they would have done better to stay home. Especially galling was the disproportion between the avowed objectives, in each case having something to do with a new world order, and the result. *Pace* the Kagans, "weariness" and "syndrome" are actually reasonable responses to incompetent statesmanship.

Our statesmen failed because they got into the habit of promising escape from the timeless threat of war, to be achieved by some sort of organizational stroke — or at any rate, without war. The book does not realize that the League of Nations and other forms of collective security are attractive to peoples not as opportunities to take a merely proportionate part in policing the world, but rather as opportunities to escape responsibility for their own safety. The book's references to the League of Nations (and to a lesser extent to the "new world order" of the 1990s) do not recognize that they were self-contradictory concepts: communities of most of the world's nations, though not all, that had now sworn off war, and yet were expected to make traditional preparations for allied war against likely aggressors. Peoples can sense their leaders' self-contradictions and fraud. This will not improve until our statesmen learn to look war in the face again.

The first reasonable question about any war is: What for? Why should I get myself killed? The answer had better be good. This leads us to the book's main practical purpose and its greatest weakness. The book is an apology for what has come to be known in American discourse as "interventionism." Yes, on several occasions the authors write that they do not think Britain should have been or America should be the world's policeman. Elsewhere, they write that they advocate only "the maintenance of a balance of security in all regions of vital interest to the United States." But that turns out to be pretty much the world. And on the next to last page they write: "...It is the experience of the last century and the one before it that to preserve the peace of the world

SEE WAKE UP ON PAGE 11

Beyond the Evil Empire

BY BRIAN T. KENNEDY

Present Dangers: Opportunity in American Foreign and Defense Policy

edited by Robert Kagan and William Kristol. Encounter Books, 401 pages, \$22.95

A QUARTER CENTURY AGO, THEN SECRETARY OF DEFENSE DONALD RUMSFELD QUESTIONED the Central Intelligence Agency's estimates of the Soviet threat. He believed that the CIA, led then by George Bush, had underestimated the strategic military power of the Soviet Union. Rumsfeld's warnings led to a reassessment of the threat and later the formation of the Committee on the Present Danger — a group of intellectuals who made the case that America had fallen behind and had not taken the precautions to secure its defense. William Kristol, the editor and publisher of the *Weekly Standard*, and Robert Kagan, an associate of the Carnegie Endowment for International Peace, have edited a fresh series of essays written in the same spirit though against a different enemy. The new present danger, say Kristol and Kagan, is the reluctance of the United States to stand alone on the world stage and exert its influence on the post-Cold War world.

The 15 essays collected in *Present Dangers* have a very specific purpose: to offer a moral defense of U.S. intervention in world affairs. Put simply, the United States stands as the principal bulwark against evil and tyranny in the modern world. Just as Ronald Reagan unapologetically denounced the Soviet Union as an "Evil Empire," so too do Kristol, Kagan, and other authors blame current U.S. foreign policy for coddling regimes that do not respect freedom and human rights. Although such regimes may not pose an immediate threat to the United States, conflict is more likely than not because democracy and liberal capitalism are ultimately incompatible. Left unchecked, nations like North Korea and Iraq may well acquire the means to pose a strategic threat to the United States or its allies. If the United States is to "shape the international environment to its own advantage," as Kristol and Kagan put it, this will require "being more rather than less inclined to weigh in when crises erupt, and preferably before they erupt."

The essays in *Present Dangers* are by some of the most thoughtful writers on American defense and foreign policy, including Ross Mott, Donald Kagan, Frederick Kagan, Nicholas Eberstadt, Richard Perle, and Elliot Abrams. William J. Bennett and James C. Cresser, two analysts not known for their work on defense issues, contribute fine essays, too.

William Schneider and Paul Wolfowitz deserve special commendation. Schneider explains the reasons behind America's failure to check the spread of ballistic missile technology and shows why we must be prepared for nuclear, chemical, or biological attack. Schneider knows well the emerging danger, having been a member of the 1998 Rumsfeld Commission that assessed the ballistic missile threat to the United States. Much of the blame he places at the feet of the Clinton Administration, which delayed research and development on promising missile defense programs and gutted the Coordinating Committee on Multilateral Trade Controls (COCOM), enabling Russia and others to trade sensitive technologies to North Korea, Iran, and Iraq virtually without oversight.

Wolfowitz tackles the question of "Statesmanship in the New Century." Like others in this volume, he argues for the strategic importance of promoting democracy throughout the world. This is no easy task, of course. In the case of China, Wolfowitz explains that the U.S. must fulfill its obligations to Taiwan without totally alienating Communist China. It will be in America's long-term interest for a free and democratic Taiwan to remain an example to which the people of the mainland can aspire. Wolfowitz is under no illusions that China can be made easily into a constitutional democracy that respects the rights of man. But he believes that China — given the openness that comes with trade and a growing private sector — is fundamentally different from the old Soviet Union.

Most importantly, Wolfowitz argues for statesmanship and prudence in the conduct of foreign policy. No general idea or theory — isolationism, multilateralism, etc. — will ever be sufficient to lead a president to do what is right on every occasion. This is perhaps the central lesson of *Present Dangers*. Although offering a compelling defense of American interventionism in the world, the authors recognize that in the final analysis everything comes down to strategy and statesmanship.

Some will find this conclusion remarkable, since it was Kristol and Kagan who advocated intervening in Kosovo primarily, though not exclusively, on humanitarian grounds. Many in the conservative movement found this course of action ill-conceived and imprudent.

Although Wolfowitz avoids passing judgment on the U.S. action in Kosovo, he does question whether Clinton understood just how difficult it would be to conduct a foreign policy promoting ethnic diversity and tolerance in Yugoslavia. Wolfowitz reminds readers, "Statesmanship requires, therefore, not only a moral vision, but a willingness and ability to stand a hard-headed and clear-eyed view of the world." Oddly enough, *Present Dangers* — Wolfowitz's chapter in particular — is actually a kind of corrective to Kristol, Kagan, Senator Jesse Helms, and others who zealously supported Clinton's bombing of Yugoslavia mainly in the name of U.S. moral hegemony. Such lessons are especially timely at the beginning of a new administration. For both policymakers and students of foreign affairs, *Present Dangers* is a must reading.

Brian T. Kennedy is Vice President of the Claremont Institute.

BOOK REVIEWS

Settling Up

BY DAVID TUCKER

The Debt: What America Owes to Blacks, by Randall Robinson. Dutton, 252 pages, \$23.95 (cloth), \$13 (paper)

The Guilt of Nations: Restitution and Negotiating Historical Injustices, by Elazar Barkan. W. W. Norton and Company, 349 pages, \$29.95

When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice, edited by Roy L. Brooks. New York University Press, 510 pages, \$60 (cloth), \$22.95 (paper)

RANDALL ROBINSON BELIEVES THAT America owes him and all blacks a debt. Anyone who finishes his book should be forgiven for thinking that he has thereby paid it. *The Debt* drags the reader through a slough of bald assertion, contradiction, historical misrepresentation, vulgar Marxism, and New-Age jargon ("vitals of the larger immortal self"), all undergirded by a pervasive racism. Blacks are blameless, whites always to blame. Not to mention the 37-page paean to Cuba that condemns American policy toward that island utopia and the rest of Latin America. The purpose of this long strange trip is to persuade blacks and anyone who feels guilty about slavery and its aftermath that restitution for slavery, or at least demands for restitution, must be made.

Robinson does not explain the peculiar character of his book or why the demand for restitution is as good as, if not better than, restitution itself. It is only when one looks at the claim for slavery reparations in a larger context that one sees what Robinson is about. Elazar Barkan's *The Guilt of Nations* provides that context. He describes 12 different cases where victims of historical injustices have demanded compensation, beginning with Jews following World War II and concluding with ongoing native claims in New Zealand. Beyond that, he analyzes what his final chapter calls the theory of restitution, a framework of assumptions and guidelines that has slowly emerged as these cases have developed.

According to Barkan, restitution cases are collaborative negotiations through which victims, operating as a group on the basis of supposed group rights, regain their self-respect by recovering what was taken from them and thus move toward equality with their former oppressors. Whether the issue is restitution strictly speaking (return of specific property or cultural artifacts) or reparation ("recompense for that which cannot be returned," e.g. a life, dignity, labor), Barkan reports that no "meta-moral principle" guides the negotiation, except for some fuzzy (his word) notions of justice. It



is a political process. "In pursuing restitution, groups barter histories and national memories for recognition and material resources. . . . [L]egitimizing one's story has become a prime political target" because it leads to increased self-esteem (history is to a nation or people what memory is to the individual; it determines identity) and possibly money. The states that are the objects of these claims assuage their guilt or enhance their international standing by reaching an accommodation.

Barkan develops this theory of restitution not on the basis of abstract reasoning but through detailed and illuminating accounts of the politics of the cases he considers. In other words, when he looks at these cases he does not see the articulation in them of abstract rights or notions of justice; nor does he see such things implicit in the arguments for and against restitution. He concludes, therefore, that the restitution cases are part of "a shift away from abstract principles and rights, toward political discourse, narratives and contexts." On the whole, one senses that Barkan thinks this is progress.

Randall Robinson's effort fits perfectly into what Barkan calls the theory of restitution. In his discussion of the debt owed blacks, Robinson avoids talking about "abstract principles and rights." In fact, he avoids argument altogether. He is not concerned with establishing the truth or justice of his claim about a debt. He says or implies several times that there is no truth or objectivity. His primary interest is altering how blacks think about themselves. He wants to help legitimize a particular narrative of black history as a way of bolstering black self-esteem and group-consciousness. He wants blacks to believe that Africa had great civilizations "equal to any in the world," that Africans "gave art, and craft and science to the whole world," that ancient Egyptian and Greek civilization were borrowed from

Africa's achievements. If blacks come to believe this narrative, they will recover their identity and self-worth and thus their psychic and social health. They will have a reason to demand compensation for the culture that slavery destroyed and, if the narrative gains legitimacy in society, they will have reason to hope for support for this demand. The willingness of blacks to demand reparations, whether or not they receive them, is a barometer, then, of their standing in society at large and of their psychic and social health.

Because Robinson thinks there is no objectivity, he is presumably not bothered by the fact that he misrepresents or gets wrong so many facts in constructing his narrative. But how healthy can it be for blacks to have their self-worth based on falsehoods? It is not just ancient history that Robinson's narrative distorts. When he is denigrating America — as part of his case that blacks do not like America and cannot be part of it — he reports that George Washington was a slave owner and bequeathed his slaves to his wife, neglecting to mention that the bequest included the stipulation that the slaves be freed, as they were. He says nothing about the struggle in the United States to end slavery or the role played in that struggle by the Declaration of Independence, whose "abstract truth" of human equality, according to Lincoln, is a perpetual "rebut and stinging block" to tyranny.

More important than these misrepresentations, however, are the contradictions in Robinson's account. The most fundamental of these is his denial of objectivity, his avoidance of talk about rights or principles of justice (there is one fleeting mention of "natural justice"), while claiming that an injustice has been done to blacks that must be repaired. If objectivity and truth are so illusive, how can we know that an injustice was done? Conversely, if Robinson is so sure that an injustice was done, how can he doubt the

attainability of truth? Robinson feels as strongly as it could be felt the injustice of slavery, but he has no way to talk about it except by inventing a self-serving narrative.

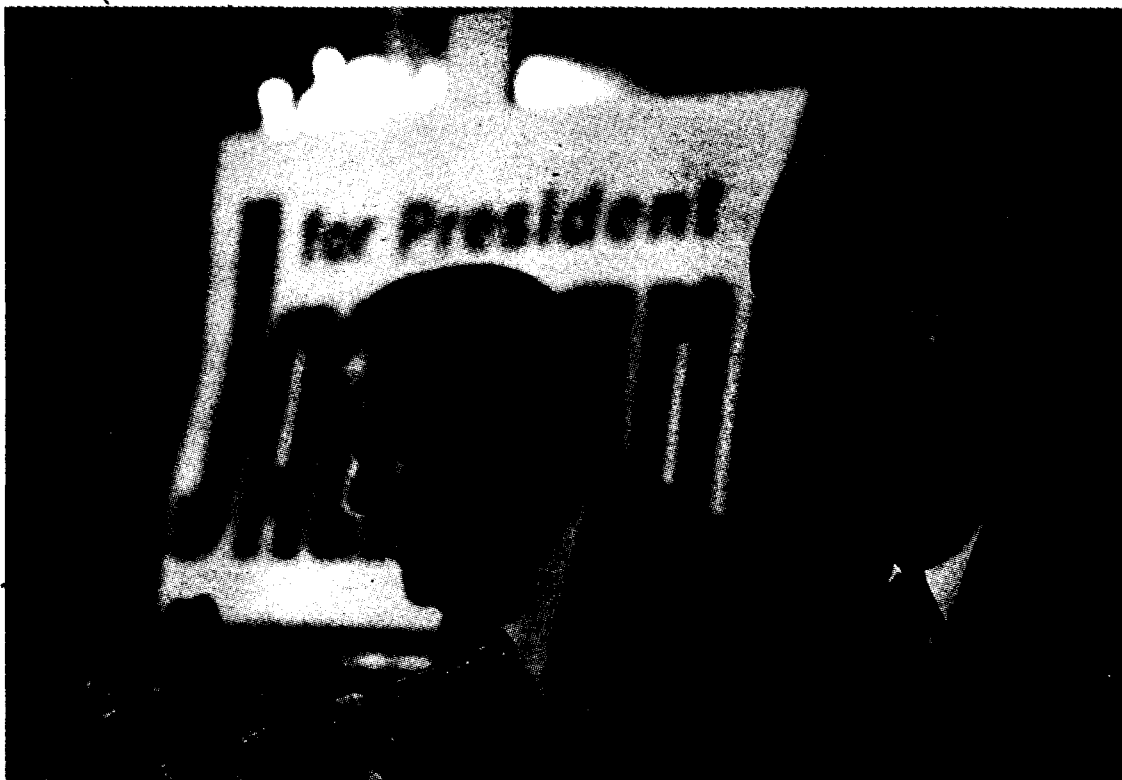
Barkan tends to see this shift from arguing about justice to hawking narratives, and from individual rights to group rights, as a good thing because it allows more room for political maneuvering. But the shift is in reality a disaster for minorities. First, some conception of natural justice as the basis for claiming that a debt is owed is the one thing that could make talk of reparations appear to be something more than mere money-grubbing and psychobabble. Second, if there is no justice or if we cannot apprehend it objectively, then politics is only a matter of power. If it is only a matter of power, as Robinson seems to assume, why should a majority not ruthlessly exploit, even enslave, a minority?

It may be the case, as Barkan suggests, that when he studied restitution cases he did not see the various participants in them articulate principles of justice. Robinson certainly does not. Both men may be too enslaved by the reigning post-modern intellectual outlook to see or articulate such principles. This does not mean, however, that they are not implicit in the claims and counterclaims that make up these cases. The virtue of Roy L. Brooks's *When Sorry Isn't Enough* is that it juxtaposes such competing claims and shows the necessity of sorting them out.

On balance, the arguments for slavery reparations do not seem strong. On a legal plane, the argument assumes that people engaged in a legal activity, as slavery was, can be penalized for this once the activity is declared illegal and they have stopped. But the argument for slavery reparations suffers other disabilities. Reparations would now be a case of individuals who were never slaveholders giving money to individuals who were never slaves. This distinguishes the slavery case from the cases of the Jews or Japanese-Americans after World War II. Nor are slavery reparations like restitution to groups such as Native Americans, since treaties were involved in this case and Indians have a recognized corporate existence as tribes.

In tacit acknowledgment of such difficulties, and in contradiction of his tendency to deny the higher law tradition that informed both the Declaration of Independence and Martin Luther King's "Letter from a Birmingham Jail," Robinson insists on the moral responsibility of the U.S. government and other institutions. He suggests that the federal government and private institutions that benefited from slavery, like Brown University, should pay. In estimating this responsibility and the debt that he believes arises from it, however, he ignores, as noted, what the government did to end slavery and has done more recently to end segregation and to deal with the current condition of blacks through affirmative action. Private institutions have made similar efforts. Brown University, for instance, has

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Will The Real "New Democrats" Please Stand Up?

BY STEVEN HAYWARD

The Gentleman from New York: Daniel Patrick Moynihan—A Biography, by Godfrey Hodgson. Boston: Houghton Mifflin, 452 pages, \$38

Henry M. Jackson: A Life in Politics, by Robert C. Kaufman. Seattle: University of Washington Press, 548 pages, \$30

THE PRIMARY POLITICAL ACHIEVEMENT of Bill Clinton, we are told even by such sensible observers as Norman Podhoretz, is that he pulled the Democratic Party "back to the center." This, Clinton himself told us eight years ago, is what being a "New Democrat" is all about. However, when the careers and outlooks of the two "Old Democrats" treated in these biographies are recalled, it becomes evident that the centrist New Democrat motif is another Clintonian inversion of reality. It was the genuine "new" Democrats—remember "the new politics"—of the 1960s and 1970s who corrupted the Democratic Party and who deliberately marginalized "old" Democrats such as Daniel Patrick Moynihan and Henry "Scoop" Jackson.

Scoop Jackson died suddenly of a ruptured aorta in 1983, within hours of learning that the Soviet Union had shot down the civilian airline flight KAL 007—a coincidence his

biographer passes over without comment. Jackson's own political prospects had long been eclipsed by this time. Moynihan's tortuous and curious political career has ended with a whimper, and his career was turned over, without a whimper, to Hillary Rodham Clinton, who represents everything about post-sixties liberalism that Moynihan has repudiated throughout his public life. Yet Moynihan survived as long as he did only because of his identification with liberal Democratic partisanship (which means the partisanship of "the new politics"), such as voting in lockstep with his fellow Democrats in the matter of Clinton's impeachment even though he had disapproved Clinton's actions in constituting "a cabinet of the regime." Herein lies the central riddle of Moynihan: how can a person with such clear insight into the failures of contemporary liberalism nonetheless cast his lot with it?

Intellectually, Moynihan might well be thought of as the Francis Fukuyama of modern politics. He has accordingly been in the middle of every major political controversy for 35 years, but like Robert Gump, many critics have doubted whether he fully understood what was going on around him. Yet few can claim a deeper, more prescient vision. He predicted back in 1975 that the increase of single-mother households and illegitimacy would bring social disaster in our cities. He told Richard Nixon in 1969 that women's

politics and social problems were evidence that he can indeed learn from mistakes. "In the early 1960s in Washington," Moynihan has reflected, "we thought we could do anything.... The central ideological proposition of liberalism is that for every problem there is a solution.... Only on Moynihan came to understand the 'fatal flaw' of liberalism: 'Wishing to make things so.' I wrote 30 years ago, 'I am too readily prone to think them not only possible, which they very likely are, but also at hand, which is seldom the case.'"

Why "seldom the case"? Because human nature and human society are too complicated and too susceptible to government manipulation for our optimistic liberalism had led us to believe. But when the news started coming in during the 1960s that our problems were not going to be easily solved, and that the billion-dollar program, many liberals turned badly, lashing out at the situation. "Liberalism faltered when it turned out it could not cope with truth," Moynihan reflected.

Even as liberalism failed to experience its harsh limits in the 1960s, the rising generational revolt was changing the political culture, apocalyptic in its own reward, an articulation of a new, more radical achievement of "the good." For the morally pure mind of the radical Left in the 1960s, if you expressed any doubt about immediately ending racism and war, you were a bigot. This was when the "politics of personal liberation" began. Liberalism came, in Moynihan's words, to have "the ability to immediately dismiss every statement or action as a question of motive." Moynihan was one of the first victims of this political culture, even though he had been trying to refine social policy for liberal ends.

In practical effect, then, the politics of personal liberation was not only that

you will demonize your opponents in the most personal way ("How, say, LBJ, how many kids did you kill today?"), but that you rule out compromise with the opposition. The Clintons brought this attitude with them to Washington. Clinton could have had comprehensive health care reform in 1994 if he had been willing to compromise with Republicans in Congress. But Clinton wouldn't even compromise with Moynihan, who was then chairman of the Senate Finance Committee. In Clinton's very first week in office, a senior White House aide commented in *Time* magazine about Moynihan: "He's not one of us.... we'll roll right over him if we have to."

"He's not one of us." That pretty much tells the whole story. Godfrey Hodgson's well-crafted and highly readable biography does not, unfortunately, attempt to solve the riddle of Moynihan's split personality. The best he can offer is that Moynihan is a melancholy Irishman with a bleeding heart. That Moynihan may lack the courage of his convictions is a hypothesis too embarrassing for Hodgson to contemplate.

The case of Scoop Jackson is more straightforward but even more disheartening. Jackson can be seen as the heir to the Truman tradition of liberal anti-Communism, and he became, perhaps the most effective Senate critic of arms control and détente. For this, he earned the deep enmity of the Left, which doomed his prospects of winning the Democratic nomination for President, which he sought twice. Yet even he made his accommodations with the Left. Although he had been a staunch supporter of the Vietnam War, when the final crisis came in 1975 Jackson threw in his lot with the congressional liberals who cut off funding for the Vietnam's self-defense, an act of political cowardice he thought necessary to keep his hopes alive in the 1976 presidential race, which he lost anyway. His biographer Robert Kaufman slides over this unfortunate blot on Jackson's foreign policy career, making him sound like Moses to Ronald Reagan's Joshua on Cold War politics.

Kaufman is better at explaining what it was that kept Jackson from fleeing from the Democratic Party, even though Jackson was as horrified as Moynihan at the ruin that "the new politics" had wrought. (Here it should be mentioned that many key Reagan appointees came from the ranks of Jackson and Moynihan, such as Richard Perle and Elliot Abrams. Abrams, in 1979, tried to persuade Moynihan that he should be Ronald Reagan's running mate.) Jackson was a labor union, being near-socialist on questions of national economy. Kaufman gently acknowledges that Jackson had "a fundamental misunderstanding of markets." So even though he was defeated by the Conservative Revolution to endorse Reagan, he was still a step

DEMOCRATS

Continued from page 7

which would likely have been an offer to be the Democratic first runner-up, he ended up leaving the Clinton team and joining Jackson's campaign.

If there were an anti-trust law for Democrats, the party would be in trouble. The Democrats, such as Clinton, have not been happy to have the party's name used to promote the party's agenda.

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A Plea For Pandering

BY JOSEPH BESSETTE

Politicians Don't Pander: Political Manipulation and the Loss of Democratic Responsiveness, by Lawrence R. Jacobs and Robert Y. Shapiro. University of Chicago Press, 425 pages, \$50 (cloth), \$17 (paper)

AN AIDE OF PRESIDENT HARRY S. TRUMAN once wrote that Truman "didn't believe in polls. He would do what he thought was right and what the facts warranted. He figured the polls would have to catch up with him." Contrast this with what Bill Clinton's master strategist Dick Morris told a national television audience a few years ago: "President Clinton uses polls as often as he breathes. . . . I don't think there is a single area of American life that he's not polled on."

In *Politicians Don't Pander*, University of Minnesota political scientist Lawrence Jacobs and Columbia University political scientist Robert Shapiro argue that politicians don't use polls to determine policies. But whereas others argue that politicians do not and should not pander to public opinion, Jacobs and Shapiro insist that they *don't* but *should*. "Pander" is a derogatory term used by critics "to belittle government responsiveness to public opinion." But "it is surely odd in a democracy," they write, "to consider responsiveness to public opinion as disreputable."

The paradox as they see it is that as American politicians and professional pollsters have formed an ever tighter union, American government has become less and less responsive to public preferences.

What explains this paradox? Politicians, Jacobs and Shapiro argue, have two primary goals: to enact their policy preferences and to be reelected. While the latter heightens sensitivity to centrist opinion as elections approach, their policy goals, often reflecting the desires of narrow interests and ideological partisans, are largely independent of public opinion. So the pursuit of policy goals carries some reelection risk. Hence politicians need experts who can teach them how to craft reassuring rhetoric to make their policies acceptable to the public.

Too often, however, this takes the form of sophisticated manipulation of opinion, not genuine persuasion on the merits on policy proposals. Politicians use opinion experts not to engage, much less to enlighten voters, but to identify "the words, arguments, and symbols about specific policies that the centrist public finds most appealing." Jacobs and Shapiro call this process "simulated responsiveness," which is some-

thing quite different from the genuine responsiveness to public opinion that they think ought to govern politicians in a democracy.

Most of *Politicians Don't Pander* is a close examination of the defeat of President Clinton's national health care plan in 1993-94. Public opinion backed Clinton's proposal in the early months but eventually turned decisively against it. Consistent with the authors' view that the defeat of Clintoncare had little to do with its substantive deficiencies, there is almost nothing here on the congressional deliberations that led to the demise of Clinton's far-reaching proposal in the summer of 1994. It was the rhetorical campaign that was decisive, they argue, and especially the ways in which media coverage exacerbated political conflict and contributed to a general unease about change among voters who were, on the whole, quite satisfied with their own health coverage.

In a later chapter, the authors show that Clinton learned from the Democrats' rout in the 1994 election the necessity of compromising his "own policy goals as well as those of many Democratic legislators, activists, and allies." Clinton "in effect pursued a median voter strategy" which led him to adopt policy positions "closest to the midpoint of public opinion," especially on welfare reform and balancing the budget. This is a major qualification, to say the least, to the authors' argument that opinion polls do not determine policy choices.

One lesson taught by the political debates of 1993-96 is that politicians tend to overestimate their ability to move public opinion. This was as true for congressional Republicans in 1995-96, as it was for White House officials in 1993-94. The authors nicely show how even the president's voice, trumpeted from his much vaunted bully pulpit, "can be drowned out by the chorus of other establishment figures." Clearly, then, the new rhetorical arts, available to parties on both sides, have not dramatically enhanced the ability of politicians to have their way.

So what, then, is the problem?

Turns out there are two. First, political rhetoric designed to manipulate and deceive the American people has "corrupt[ed] public communications and the public debate" by expanding politicians' "capability to invade and attempt to dominate public discussion." Second, insofar as the new rhetoric is successful at moving public opinion or at "obscur[ing] . . . actual policy goals," it undermines democratic responsiveness.

To remedy the first, Jacobs and Shapiro advocate the creation of an autonomous public sphere in which people deliberate about public policy free from manipulation by politicians. They go so far as to propose a "new corollary to the Bill of

Rights: citizens have a right to debate and form critical views of government without facing poll-honed campaigns to manipulate their evaluations" (emphasis in the original). It is more than a bit mysterious how such a right would be enforced short of draconian restrictions on the political speech of our elected officials.

And what of political rhetoric that truly informs and educates the citizenry? How are we to protect the people from bad rhetoric without shutting them off from salutary public discourse? The authors approvingly cite Woodrow Wilson on the need for responsive government, but they fail to mention the Wilsonian prescription for rule by orators who would decisively shape the public mind.

As for the second problem, the book's closing chapters are a plea for greater governmental responsiveness to public opinion. The health and perhaps even the survival of American democracy require "that politicians follow the popular will and allow citizens to engage in unfettered debate." Opposition to this view is based not on "evidence and logic," Jacobs and Shapiro claim, but more likely on a "deep-seated prejudice" against democracy.

Among those allegedly infected with this prejudice were the American founders. But for all their insistence on democratic responsiveness, Jacobs and Shapiro themselves carve out a sphere within which representatives may exercise "some degree of independence, discretion, and judgment as they respond to public preferences." These reservations against democratic responsiveness are not dissimilar from those that the framers sought to infuse into their fundamentally popular government. How, then, do Jacobs and Shapiro differ from James Madison and his colleagues?

The key difference seems to be this: although Jacobs and Shapiro concede that "representatives have a duty to do what they believe is in the best interests of their constituents," they confine this principle to routine matters outside the public eye — or rare national emergencies. What standards of behavior, then, ought to guide the representative faced with decisions on such controversial matters as health care, welfare, social security, taxes, or defense? Should our leaders simply follow centrist opinion as revealed in polls or do what appears to be best for their constituents and the nation?

To ask these questions is virtually to answer them, and to remind us of the wisdom of the founders who rejected pandering to voters in favor of the far more difficult duty of representing them, responsibly.

Joseph Bessette is author of *The Mild Voice of Reason: Deliberative Democracy and American National Government* (University of Chicago Press, 1997).

BOOK REVIEWS

Lone Wolfe

BY MICHAEL ANTON

Hooking Up, by Tom Wolfe. Farrar Straus & Giroux, 288 pages, \$25

TOM WOLFE HAS BEEN ON A LONELY crusade for more than a decade. His repeated calls for a return to realism in American fiction have largely gone unanswered. Makes you wonder.

Thirteen years ago, after a 25-year career as one of the most prominent, and probably the best non-fiction writer in America, Wolfe published his first big realistic novel, *The Bonfire of the Vanities*. The reviews were mixed (the consensus among the complainers seemed to be: brilliantly plotted, devastatingly accurate, uproariously funny, lacks "heart"), but clearly he had found an audience for realism. *Bonfire* sold 800,000 copies in hardcover, another two million in paperback, and spent more than a year on the bestseller list.

It took him 11 years to finish his next big realistic novel, *A Man in Full*, but the payoff was even greater: glowing reviews, the cover of *Time*, and hardcover sales of 1.4 million.

Again, it makes you wonder: with baubles like these out there awaiting the realistic novelist, why hasn't Wolfe's crusade attracted more disciples?

Wolfe's own answer is that realism is considered hopelessly "low rent" by the literary establishment. The problem is that realistic fiction depends at least as much on the subject matter to be "realized," as it does on the style, syntax, and pacing — in a word, "genius" — of the author. Yet every modern man of letters knows that these last are what count, not the mundane details of "how we live now." Since most young writers who set out to publish novels hope to join the establishment, naturally they don't take up a genre that its lions despise.

But Wolfe is quick to add another, more prosaic reason: Realism is a lot of work. All that researching, traveling, interviewing, digging, hustling, reporting . . . it's too much trouble. The point of being a writer, after all, is to be thought of as a genius, and make a living, while never leaving the cozy confines of the study, or at any rate the cubicle at the editorial offices of *Harper's*.

This has never been Wolfe's own view. From the beginning, he has been, to use his own construction, a "farmer of journalism" who loves "the good rich soil itself, for itself"; he lives for nothing more than to "plunge his hands into the dirt."

So it is ironic that after 25 years of tilling the soil that is American life—and, not incidentally, dissing the desk-bound literati—Wolfe's latest book should be a collection of essays that, on the surface, is indistinguishable from a volume of "criticism" by an Ivy League English professor. Except that it is much, much better.

Hooking Up contains almost none of the innovations that Wolfe pioneered in non-fiction—the scene-by-scene construction of every piece, the zippy yet true-to-life dialogue, the liberal use of varying points of view. It does, however, reprint for the first time the twin essays that made him a star. Wolfe's attack on *The New Yorker*, which caused such a furor when published in two parts in 1965, is still hilarious, and thanks to the two equally hilarious "framing" essays that Wolfe provides, contemporary readers can learn what all the fuss was about. Beyond their historical importance, *The New Yorker* pieces represent perhaps the *ne plus ultra* of that overheated, bizarrely punctuated, irony-drenched prose style that made him famous.

Hooking Up gives a taste—but only a taste—of what might have been had Wolfe's one big idea caught on. The book's longest piece by far is Wolfe's novella *Ambush at Fort Bragg*, which was assembled out of detritus from an abandoned subplot of *A Man in Full*. As such, it has problems, chiefly an unsatisfying ending. But it is so well done in other respects, i.e., plot, character, setting, dialogue, and theme, that one hardly notices. It takes the reader into places that are not easy (or in all cases desirable) to visit, but about which he might nonetheless be curious—places like network news production booths, or strip bars frequented by soldiers of the U.S. Army. And it provides enough telling details about these places and the people who inhabit them that one is kept positively rapt, and is grateful to Wolfe for bringing the news—the truth of what is going on out there, behind the facades.

This is what made *Bonfire* and *A Man in Full* such huge successes. People are curious, and they are more curious about what actually exists in the wide world around them than in what some tweedy intellectuals think about it.

So why does Wolfe now give us a bunch of reflections in the style of the tweedy intellectual? Partly, one suspects, to get something out there, so that he will not have to endure (yet again) the embarrassment of an 11-year lag between books. But there may be more to it than this. These essays make abundantly clear—if it was not clear to everyone already—that Wolfe is a conservative, and a patriot. *Hooking Up* thus may be said to be his formal coming out.

Wolfe has certainly never been a liberal. But in the past he seemed to take a little too much delight in the lurid spectacle of traditional moral restraints being shucked off by giddy Americans, young and old, to qualify fully as a conservative. The title essay revisits this familiar Wolfean terrain, but Wolfe comes off less amused than he used to be, and more outraged. He seems to understand what is at stake, and also to grasp that the understanding of moral things is incompatible with neutrality about them.

Intellectual fads still amuse Wolfe to no end, however, and he is as amusing as ever in skewering them. This Yale Ph.D. and frequent college lecturer finds almost nothing worth

taking seriously in the halls of academe—who could?—and comes away refreshingly appalled by its anti-Americanism. One is made uneasy, however, by the suspicion that he finds no higher source of pride in America than its wealth and power, but perhaps this is to read too much into what is in other respects a pretty fair summary of the mind of the modern professoriate.

There can be little doubt, however, that Wolfe really does believe some of the other nonsense he reports. He has always been drawn to novelty. This healthy reporter's instinct turns unhealthy when it leads him to declare "brain imaging" the science that will once and for all debunk such quaint notions as the existence of "the mind," "the soul," and "free will" (the sneer quotes are his). Wolfe is surely right that the brain scientists think this. But are they right? He doesn't ask, and in a piece of writing that clearly aspires to transcend mere journalism in favor of something approaching philosophy, this is a fatal omission.

So is his unwillingness, in the same vein, to subject the theories of E.O. Wilson to any kind of scrutiny. Wolfe is so refreshing in debunking the millennial rantings of Internet utopians ("Digibabble," he calls it) that one wishes he had turned the same critical eye on the soul-killing babble in modern neuroscience.

If any other reasonable complaint can be made about *Hooking Up*, it is the exclusion of the essay "The New Journalism," first published as the introduction to Wolfe's edited compilation of the same name, and never reprinted. It is a bravura performance, enlightening and intoxicatingly fun to read. Wolfe probably left it out because, now that he is a successful novelist, he figures it is unwise to remain on the record proclaiming the "death of the novel." Fair enough. But then why not include the almost-as-good "Stalking the Billion-Footed Beast," in which Wolfe makes the same case for novelistic realism, this time from the perspective of fiction rather than non-fiction?

Perhaps because Wolfe has made the same case yet again, this time in an unfortunate attack on three eminent novelists who didn't like *A Man in Full*, and said so. One doesn't have to disagree with Wolfe's assessment of these writers or their books to think this particular piece—charitably titled "My Three Stooges"—is unworthy of Wolfe. He has long enjoyed comparing the literary output of the first half of the last century with that of the second, his point being that there is no comparison. But this time, his tone is too personal, too bitter. Wolfe, after all, has every reason to show his critics a little magnanimity. He is richer than they are, more popular, and his books are better than theirs. Gentlemen don't rub it in.

Michael Anton is a writer living in New York City.

Restoring Order to the Court

BY MICHAEL M. UHLMANN

Freedom of Expression in the Supreme Court: The Defining Cases, edited by Terry Eastland. Rowman & Littlefield, 397 pages, \$70 (cloth), \$22.95 (paper)

Great Cases in Constitutional Law, edited by Robert P. George. Princeton University Press, 206 pages, \$35 (cloth), \$12.95 (paper)

CONSTITUTIONAL THEORY IS ONE OF the great growth industries of our time and, like personal computers, it appears to have an almost infinite capacity for market expansion. Much of the new literature, alas, seems to be preoccupied with politically fashionable deconstructions of our founding documents. The acidic effect of this teaching has made its way into numerous high school and college texts, with the result that students who know little about the Declaration of Independence, *The Federalist*, or, for that matter, about the separation of powers or federalism, are nevertheless utterly confident that racism and sexism were alive and well in Philadelphia in 1787. Since the original Constitution appears to have been fatally flawed, students are left defenseless when told that a "living" Constitution is the only kind worth having and that it must fall to the Supreme Court to define its terms.

Correcting this bias is no easy matter, and we should be grateful when thoughtful scholars undertake to present judicial opinions in a larger and richer constitutional context, one in which the limits and dangers of undue reliance on judicial constitution-making can be intelligently discussed. The singular virtue of the books under review is that by revealing the philosophical and political assumptions on which Supreme Court opinions rest, they point students toward a wiser and deeper understanding of constitutional things. In both cases, the task is performed without the aid of ideological axes being honed in the background.

In an already crowded field of competing case anthologies, *Freedom of Expression in the Supreme Court* has any claim to being *Best* is its historical survey of the cases, tracing and summarizing fairly, and in a way that 50 leading cases are cited in a narrative, his arguments section, and his narrative. Indeed, the book is a fairly edited and a student could find a new understanding of the Constitution.

Great Cases in Constitutional Law

Aristotle and Locke in the American Founding

IN HIS REVIEW OF *A NEW BIRTH OF FREEDOM: ABRAHAM Lincoln and the Coming of the Civil War*, in the inaugural issue of the *Claremont Review of Books*, Charles Kesler writes, "Jaffa doesn't draw attention to his revised view of Lincoln or of the American Founding. In fact, he is strangely silent about the whole subject, leaving it to the reader to figure out the relation between the two remarkably different accounts in *Crisis* and *New Birth*...."

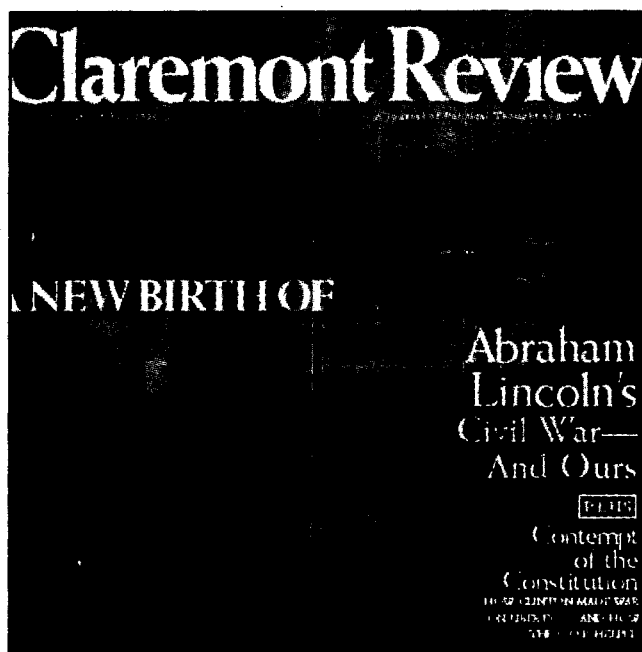
I do not think that I have been as silent, or strangely so, as Professor Kesler seems to think. That the Founding, which Lincoln inherited, was dominated by an Aristotelian Locke — or a Lockean Aristotle — has been a conspicuous theme of my writing since 1987. It has gone largely unnoticed because it contradicts the conventional wisdom of certain academic establishments. Like the "Purloined Letter," however, it has been in plain view all along.

After speaking of our unalienable rights, to secure which governments are instituted, the Declaration of Independence goes on to say that "whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundations on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness." Notice that in the second institution, or re-institution of government, "rights" become "ends." And these ends are now said to be "Safety" and "Happiness," the alpha and omega of political life in Aristotle's *Politics*.

In one form or another, this metamorphosis of Lockean "rights" into Aristotelian "ends" (or vice versa) recurs in many of the documents of the Founding. Washington in his first inaugural address as president, says that "there is no truth more thoroughly established than that there exists in the economy and course of nature an indissoluble union between virtue and happiness." The pursuit of happiness is thus understood as the pursuit of virtue. It is difficult to imagine a more forthright Aristotelianism in Hooker or Aquinas. Nor do Washington or the Founders generally suppose that either virtue or happiness is something private or idiosyncratic. In *Federalist* 43, Madison speaks of the "transcendent law of nature and of nature's God, which declares that the safety and happiness of society are the objects at which all political institutions aim, and to which all such institutions must be sacrificed." The pursuit of happiness, while that of individuals in the state of nature, is a social or political happiness, within civil society.

Neither Washington nor Madison imagined for a moment that, in speaking of the happiness of society, he was contradicting the idea of all human individuals being equally endowed by their Creator with unalienable rights. In his letter transmitting the Constitution to the Congress of the Confederation, Washington speaks of "Individuals entering into society [having to] give up a share of liberty to preserve the rest." But where — except in the state of nature — can individuals be, before "entering society"? How can they enter society, except by a social contract — or compact — in which each recognizes the equal natural rights of all, in a society dedicated to preserving the equal natural rights of each? It is this mutual recognition which is the foundation, at once, of majority rule and minority rights, of the rule of law.

One might object that the idea of rule of law arising from a social contract is purely Lockean, and has no tincture of



Aristotelianism. To think this, however, is to ignore what Aristotle says about all of natural right being changeable. Consider that, according to Aristotle, whatever the law does not command, it forbids. This is perfectly consistent with the idea of law in the Mosaic polity, which is another example of the ancient city. Remember that, according to Aristotle, a city with more than 10,000 citizens would be too large. Law for an ancient city and for a modern state — whether the 4 million inhabitants of the 13 original American states, or the 280 million of 21st-century America — must of necessity be very different. It must be very different as to the ways and means by which it is formed, yet altogether the same for the human ends that it must serve. The ancient conception of law would, in the modern world, serve only tyranny, while the very purpose of law, according to Aristotle, is to prevent tyranny. The common ground of the ancient and the modern conception of law is shown by Aristotle's dictum that law is reason unaffected by desire.

Locke's state of nature is not a merely hypothetical construct. It is rather a dictate of that very prudence which is, according to Aristotle, the hallmark of all political wisdom. It arises from that fundamental transformation in the human condition from the world described in Fustel de Coulanges' *Ancient City* — from a world in which each city had its own god — to one in which there was but one God for the human race. This God however, was not the God of any one city, or the author of its laws. The obligation of a citizen of an ancient city to obey its laws followed from the obligation to the god of that city. Under Christian monotheism each individual has a relationship with God that is prior, both logically and ontologically, to his membership in his political community. Each individual is a citizen, actual or potential, of the City of God, before being a citizen of his own particular country.

The meaning of this distinction I have discussed at some length in Chapter 2 of *A New Birth* in the context of Shakespeare's discussion between Bates, Williams, and King Henry V (in disguise) around the campfire, before the battle of Agincourt. Their conclusion is that each man has an unconditional duty to the King who is alone responsible for the justice of his cause. But the King is not responsible for the fate of each man's soul. Every man is responsible to God, but not the King, for this. Shakespeare, while displaying unflinchingly the defects of kingly rule, does not in the English histories have on his horizon any alternative to divine right monarchy. The American Founding's Lockean republican political theory provides an answer to the defects of Christian divine right monarchy, the answer that Lincoln inherited. This supplied as well the theoretical foundation for Lincoln's assault on slavery.

According to St. Peter and St. Paul, all power was held to come from God. Submission to the power of the Emperor was submission to God. This theory underlay the authority of the king, as Bates and Williams saw it in *Henry V*. In the Declaration of Independence, the origin of political authority is held to reside, not in emperor, king, or church, but in those

unalienable rights with which every human individual is equally endowed by his Creator. From the fact of this equal endowment, no one has by nature more authority over another than the other has over him. Hence the state of nature, and hence the social contract that takes men from the state of nature into civil society, a contract which initially is unanimous, and based upon mutual recognition of that equality of right. It is this unanimity which authorizes majority rule, rule which is understood in principle to be in the interests of the indefeasible rights of the minority no less than of the majority. The "just powers of government" are moreover understood to be only those to which there has been unanimous consent *a priori*. Excluded thereby from all political control are the rights of conscience which make man a citizen of the City of God. From this follows the separation of state and church, from which is derived the distinction between state and society, from which, in turn, are derived those civil rights which are the outstanding feature of all decent modern constitutions. These limitations upon political power have no standing whatever in the constitutions of the ancient city. From all of the foregoing, I concluded long ago that, had Aristotle been called upon, in the latter half of the 17th century, to write a guide book for constitution makers, he would have written something very closely approximating Locke's *Second Treatise*. For he would have recognized instantly those differences from his *Politics* that prudential wisdom required, in the world of Christian monotheism, with all its peculiar dangers of tyranny, especially from the union of divine right monarchy and established church.

MY CRITICS, FRIENDLY AND UNFRIENDLY, MAY ASK WHY it took me so long to see the purloined letter on the mantelpiece. The reason is that I took for granted that the account of the Hobbesian Locke in Leo Strauss's *Natural Right and History* represented the Locke that informed the American Founding. That rights were prior to duties, that duties were derived from rights, that civil society arose from a contract solely for mutual self-preservation, and that the goods of the soul were subordinated in all decisive respects to the goods of the body, were conclusions of Strauss's interpretation. Strauss himself never said that this Locke was the Founders' Locke, but the spell cast by his book led many of us to apply it to the Founders. Many former students of Strauss, to this day, regard it as heresy to think that Strauss's chapters on Hobbes and Locke do not constitute the authoritative account of the philosophic foundations of American constitutionalism. When presented with the evidence of Aristotelianism in the Founding, they react like the scholastics who refused to look into Galileo's telescope: "If it confirms Aristotle it is redundant; if it contradicts him it is false." Strauss himself said that Aristotle would have been the first to look through the telescope.

Strauss was clear, in *Natural Right and History*, that his was an account of Locke's esoteric teaching, but that Locke's exoteric doctrine was far more conventional, and far more consistent with both traditional morality and traditional (albeit more tolerant) Christianity. Strauss also taught us that the authors of the past — and this certainly included political men no less than philosophers — were to be understood as they understood themselves, before the attempt was made to understand them differently or better. It was, and is, an anachronism to assume that the Founders read Locke through the eyes of Strauss! One is reminded of Shakespeare's *Troilus and Cressida*. Hector, himself a young man, denounces the elders of Troy, who are so bewitched by Helen's beauty that they are unwilling to return her to her husband, and thus save their city from destruction. "You glaz'd [commented]," he said, "... [like] young men whom Aristotle thought unfit to hear moral philosophy." It seemed to me that imputing to the Founding Fathers Leo Strauss's esoteric interpretation of Locke would be not unlike finding the *Nicomachean Ethics* in Hector's library.

Harry V. Jaffa is Henry Salvatori Professor of Political Philosophy Emeritus at Claremont McKenna College and Claremont Graduate University, and a Distinguished Fellow of the Claremont Institute.

REPARATIONS

CONTINUED FROM PAGE 6

been in the vanguard of such efforts and supports the kind of identity politics that Robinson encourages. Diversity is now part of virtually every corporation's agenda.

Finally, one must question the whole basis of Robinson's approach. Is it really the case that social pathologies among blacks result from having their African culture taken from them and that they must therefore be compensated for this? Are these pathologies not of more recent origin, the result of failed efforts at social reform over the past 40 years or so?

For Robinson, the truth of such arguments for and against reparations is beside the point. His purpose is to raise black group consciousness, to turn attention away from individual responsibility, to create a new black narrative as part of a crude (i.e., merely self-interested) political process to win rewards for blacks as a group. Barkan makes clear that this is the game in all the struggles over restitution that he studied. There is a good chance that Robinson and his supporters, although not

having strong support now even among blacks, will ultimately win at least some portion of what they seek in this political struggle.

The Democratic Party is beholden to blacks for electoral success and may at some point feel compelled to negotiate and compromise on the question of reparations. John Conyers regularly introduces a bill in Congress on reparations, and the city councils of Chicago and Washington have passed resolutions supporting reparations. Charles Ogletree, a Harvard Law School professor, Johnny Cochran of O.J. fame, and lawyers who have won billions in class action suits are preparing such a suit on behalf of blacks. A Republican president or other Republican politicians looking to build support among blacks may fall into line. The result, ironically, will be the further erosion of the principles of right and justice by whose light slavery was destroyed in the United States and around the world.

David Tucker is a visiting associate professor at the Naval Postgraduate School.

WAKE UP

CONTINUED FROM PAGE 5

requires a 'police force.'" Does the book mean that we should make war everywhere? Not exactly. It states repeatedly that in most cases "intermediate measures" will suffice. But the reader will be hard pressed to distinguish between "intermediate measures" and "half-measures." Hence the book answers the question "For what should I risk my life?" with: To police the world, because we can't have peace anywhere unless we have it everywhere. That is not good enough.

The book does not deal with a problem besetting U.S. national security that

arguably underlies all the ones it mentions, namely that American elites — notably the likes of Donald Kagan's Yale colleagues and students — have opted out of military service. If our elites could be persuaded as a matter of policy to try policing the world, they would seek to do it with hired hands. What would happen then would be more like a book by Edward Gibbon.

Angelo M. Codevilla is professor of international relations at Boston University and author of Between The Alps and a Hard Place: Switzerland in World II and Moral Blackmail Today.

ORDER

CONTINUED FROM PAGE 9

is a collection of 10 paired essays, two on each of five significant cases. The contributors represent a broad range of opinion and include some of the best and brightest constitutional commentators of the day: Mark Tushnet and Jeremy Waldron on *Marbury v. Madison*; Cass Sunstein and James McPherson on *Dred Scott*; Hadley Arkes and Donald Drakeman on *Lochner v. New York*; Earl Maltz and Walter Murphy on *Brown v. Board of Education of Topeka*; Jean Elshtain and George Will on *Roe v. Wade*. Professor George's introductory essay succinctly presents the student with an accessible road map of what lies ahead, while raising larger themes for

classroom discussion.

A commendable virtue of both books is that, while primarily intended for classroom use, they address themselves as well to the intelligent general reader.

Michael M. Uhlmann is adjunct professor of government at Claremont McKenna College.

ERRATUM

In Martha Bayles' essay, "Music, Philosophy, and Generation Y" (CRB, Vol. 1, No. 1) the editors changed the spelling of "manner" in the line "to the manner born" to "manor." In correcting Professor Bayles, however, we also corrected Shakespeare, who wrote in Act I, Scene 4 of Hamlet, "I am native here and to the manner born." The editors regret the error.



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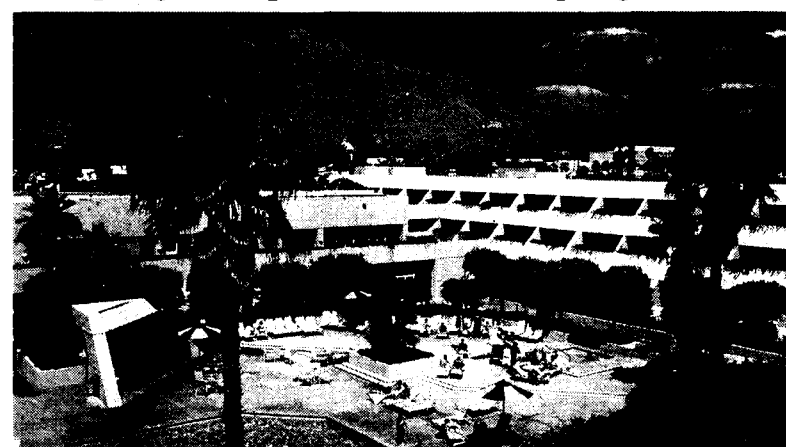
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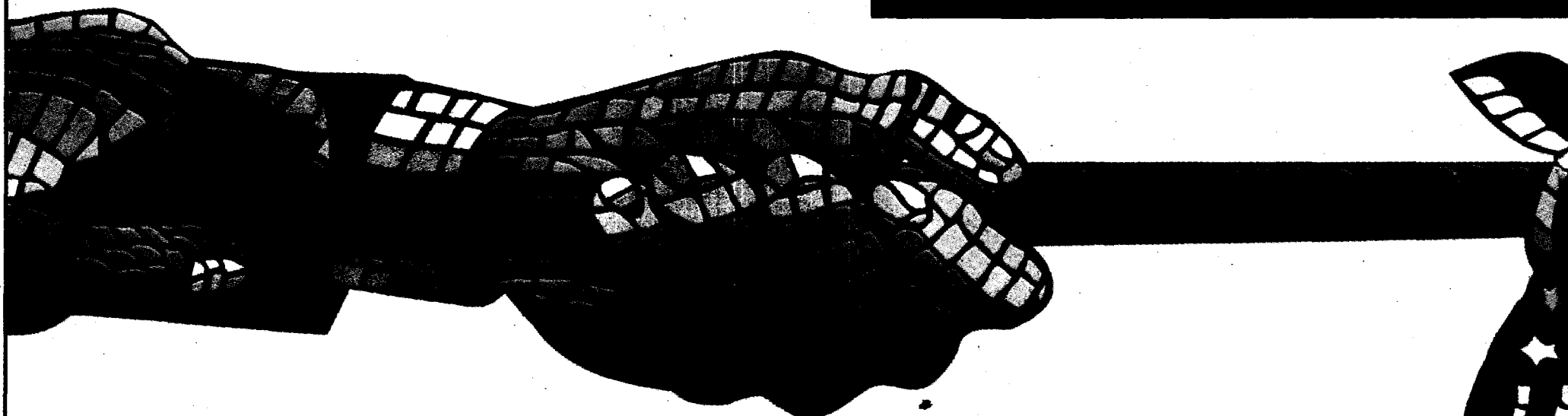


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COVER STORY

THE PERFECT



The 2000 election was the closest in American history. The Republicans control the government, despite losing seats in both houses of Congress and losing the popular vote for president. What now?

BY JAMES W. CEASER AND ANDREW E. BUSCH

ON THE EVENING OF OCTOBER 29, 1991, METEOROLOGISTS ON THE East Coast gazed into their computer monitors and observed three mighty weather systems, one a veritable hurricane, converging over the North Atlantic. No one had seen anything like it before. It was a natural event of such rarity and force that one experienced weatherman called it the Perfect Storm. ¶ The equivalent of this phenomenon in American electoral history took place on the night of November 7, 2000. As the election returns for Congress showed the House and Senate moving towards parity between the two parties, the presidential race edged, eerily, toward an astonishing outcome: two candidates separated in the national popular tally by a few hundred thousand votes, an electoral college result that without the state of Florida produced no majority, and a popular-vote margin in Florida of under 2,000 ballots. It was the Perfect Tie. ¶ Compared with the results of other general elections in American history, the contest in 2000 ended with the closest possible division of seats between the parties in the Senate (50 senators from each party), the fourth closest division of seats (by percentage) in the House, and the second closest presidential race by the electoral vote (excluding the 1800 election, when Thomas Jefferson and Aaron Burr tied). Observers of politics who emulate the meteorologists' precision in measuring natural phenomena might consider a Closeness Index for American elections. If the differences in these three instances, expressed in percentage terms, are averaged together and subtracted from one, the 2000 election rates a remarkable score of 0.991. It is by far the closest election in American history.* ¶ Political scientists in the middle of the last decade began to suggest

that the general electoral condition of our era made a Perfect Tie conceivable. Even to think in such terms, it must be said, required a conceptual breakthrough in the study of elections. Historical patterns had led analysts to conclude that "normal" electoral alignments consisted of one party gaining a clear long-term advantage over the other, as the Democrats had managed to do for the two or three decades following the elections of 1932 and 1936. Electoral observers in the 1990s were therefore on the lookout for one of the parties to establish clear dominance, as some thought the Republican party might have done after its vaunted "revolution" of 1994, and as others believed the Democrats might be on the verge of doing after Bill Clinton's second "third way" victory in 1996.

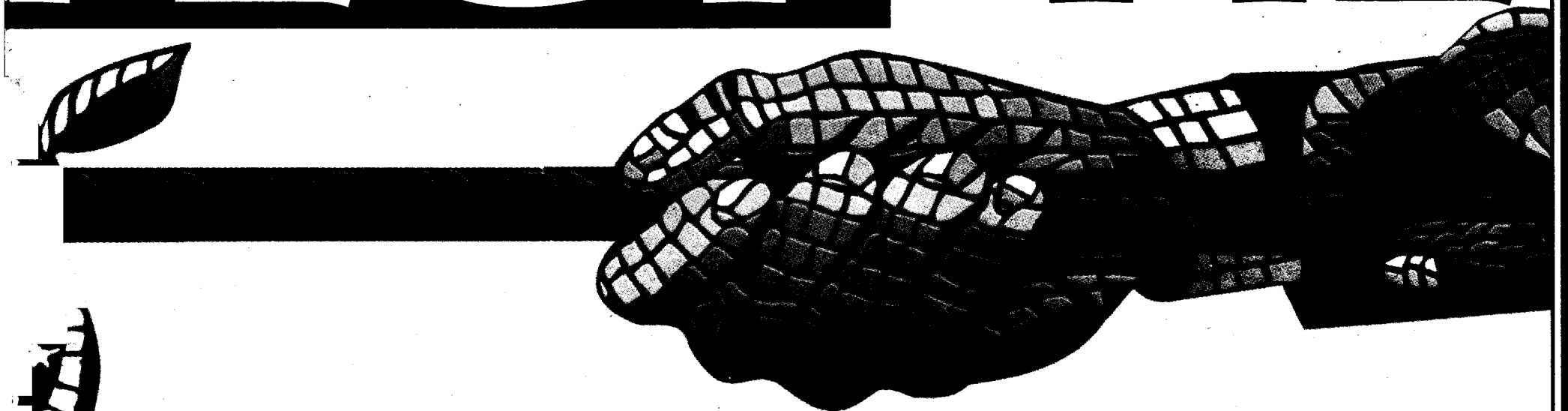
But there was another way of viewing matters. Could not a situation of parity between the parties also be an alignment? After repeatedly observing in the middle 1990s that Democratic and Republican partisans were fairly evenly balanced in the electorate, a few analysts awoke to declare that this arrangement, far from being some kind of transitional phase, was the contemporary alignment, pure and simple. According to a well-known political scientist, Paul Allen Beck, this most modern alignment consists of "a more even balance in electoral strength between the two major

parties than the nation has ever seen, at least for a century." Democrats now are about a third of the electorate (perhaps a bit more) and Republicans also about a third. The large remaining slice of the modern electoral pie contains the grouping of nonpartisan voters, also roughly a third of the electorate. This segment floats between the two parties and is easily attracted to independent candidates and third parties. Modern elections accordingly display a good deal of volatility from one contest to the next. Each outcome, to cite Beck again, reflects "election specific movements of a large nonpartisan electorate around a 50-50 'normal vote' baseline."

THIS DOES NOT MEAN THAT THE FLOATING vote is entirely without structure or direction. Although a portion of the vote in every election is predicated on responses to evanescent moods and an evaluation of personality and leadership traits, it is still possible to discern the outlines of what the floating voters appear to want, or more precisely, what they do not want. The floating vote, understood here to include most of the nonpartisans as well as a portion of weaker partisans, has made known its dislikes at least twice in the last decade: after 1992-93, when it reacted against a strong Big Government agenda and a cultural politics of permissiveness from the Left; and after 1994 and 1995, when it reacted against a strong anti-government agenda and a strident culture-war rhetoric from the Right. Floating

* The next three closest elections were: 1876 with a score of 0.955, 1916 with a score of 0.939, and 1880 with a score of 0.921. The formula for creating the "closeness index" is: Index Value = 4 - ((positive percent difference between the two largest parties in the House) + (positive percent difference between the two largest parties in the Senate) + (positive percent difference between the two largest parties in the electoral college) / 3).

PERFECT TIE



voters have therefore previously rejected the intellectual packages and world views that are embraced by the strong partisans of both parties. Successful presidential candidates have been those who have found a way to maintain the enthusiasm and support of their core supporters, while managing to appeal to a larger portion of this floating vote.

Now imagine an election in which almost all of the partisans stick by the candidate of their own party and in which the short-term factors pressure the floating voters equally in different and ultimately offsetting directions. Given the basic shape of the modern electorate, the result would approach parity. This is just about what happened in 2000. Party adherents voted overwhelmingly for "their" candidates, a result that probably had less to do with any extraordinary appeal of Gore and Bush among their own supporters than with their inability to generate much cross-partisan interest. Whatever the cause, partisan faithfulness in 2000 reached the highest level for any modern election and netted each candidate a roughly equal number of votes by partisans. Next, the net effect of short-term forces split the nonpartisan or floating voters about down the middle. In some instances these forces pressured different groups of voters in opposite directions, though in approximately equal numbers. In other instances these forces pulled and tugged the same people in different directions, causing cross-pressured voters, by far the greatest number of whom were

women, to swing greatly back and forth between the candidates.

It is also important, of course, to consider how people vote for the three major political offices at the state level: governor, the state Senate, and the state House. The results here are striking. For the state legislative chambers, Democrats in 2001 control 25 state lower houses to 24 for the Republicans, while Republicans control 24 state senates to 21 for the Democrats. Four senates are tied between the two parties. There is, however, one office today where one of the parties holds a clear advantage. Among the governors, 29 are Republican and 19 are Democrats. And therein lies a tale. It is surely no accident that the President, George W. Bush, not only came from the ranks of the Republican Governors, but also was nominated with their support and campaigned for the presidency, conspicuously, with their help.

At the beginning of the decade, the Republican Party was predominantly a presidential party. Republicans held the presidency (as they had since 1980), but both houses of Congress were in the hands of the Democrats. In the states, the Democrats had the edge in Governors (28D-20R) and the decided advantage among state Senates (34-11) and state Houses (40-9). By 1994, the contours of partisan control had begun to change. Democrats now held the presidency, while Republicans captured the House and Senate. Republicans in 1994 gained their large advantage among governors (30R-

19D), and pulled almost even among state Senates (25D- 24R) and close among state Houses (26D-22R).

The elections of the 1990s therefore did indeed realign American politics. But they did so not by placing a single party in control, but by bringing one of the parties (the Republicans) from an overall minority status into a position of parity. A large part of this has been the transformation of Southern politics, in which the change from Democratic to Republican voting that showed earlier in presidential races worked its way down to the lower levels of office holding.

A statistician might object that these numbers tell us which party won an office or institution, but not by how much. But if one were to construct an index, weighted by population, in order to show how well each party has done in each state for all six of the major elective offices (President, Senate, House, Governor, state Senate, state House) the results would show a nation that at the outset of the decade was more Democratic than Republican, but that in 1994 moved into and has since remained in a Perfect Tie.

THE 2000 ELECTION WAS UNUSUAL, even unprecedented, in that all three of the elected national institutions — the presidency, the House, and the Senate — were considered to be "in play" for both parties during the campaign. No other general campaign in American history, certainly none in modern times, has offered this range of choice.

The election results confirmed that any of

these combinations was possible. The outcome for each contest could just as easily have gone to the other party. The presidency was decided by a chad; the Senate ended with a tie; and the House left the two parties only a few seats apart. If there was any deviation from the most commonly expected results, it was in a reversal of the expectations for the Democrats' performance in the elections for the two houses of Congress. The results in the House of Representatives were a bit of a disappointment for Democrats. The 2000 election was the third contest since the Republican Revolution of 1994, and in each one the Democrats chipped away at the Republican majority. The Democrats gained two seats in 1996, six seats in 1998, but only one in 2000, falling short of their strong hopes of winning a majority. The Senate outcome moved in the other direction, with Democrats doing very well, picking up a net of four seats. This result overcame part of the huge Republican surge of 1994, when the Republicans gained eleven seats. Three Republican incumbents from that class — Spencer Abraham of Michigan, Rod Grams of Minnesota, and John Ashcroft of Missouri — went down to defeat.

Although a single partisan majority was attainable for all three institutions, voters showed little sign during the campaign that they were poised to give, in one fell swoop, a single national majority to either party. This separation of the presidential and congressional races resulted in part from a

strategic choice by both candidates. Neither one, especially George W. Bush who was running from "outside" of Washington and who offered himself as a pragmatic candidate from the gubernatorial wing of his party, wanted to tie himself too closely to the congressional wing of his party. The separation was strikingly illustrated in the candidates' convention speeches, in which neither man asked for a party majority in Congress or used his party label to rally a national majority. To be fair, the presidential candidates did not totally run away from their congressional running mates during the campaign. They offered modest support where it was possible. But no national, partisan-related theme was trumpeted simultaneously by the presidential and congressional candidates as it had been in 1992, when Bill Clinton urged voters to vote for him in order to end "divided government," or in 1996, when Bob Dole's campaign initially urged voters to vote for him in order to "finish the job" begun by the Republican Congress in 1994.

Political conditions in 2000 made it difficult to connect the presidential and congressional races, for the simple reason that no one could know for certain which party would win the majority in any of the contests. The striking point here is that foreknowledge of which party will control which of the institutions is now a major factor influencing voter behavior. This fact really became apparent in the light of an extraordinary change in voter attitude that began (or was first noticed) during the 1996 election, when a large part of the electorate, turned against the notion of entrusting all the branches of government to the same political party. Instead of voters beginning with a natural bias of voting for all candidates for national office from the same party, which was the premise of the "party government" or "mandate democracy" theory made so popular by Woodrow Wilson, it now appears that a known majority in one institution might, on the contrary, provoke "repulse" voting — effectively denying that party control of another branch. Voters, or a significant portion of them, now seem to prefer divided government.

One of the few to take a stab at connecting the presidential and congressional voting in this way in 2000 was Bill Clinton, the master of repulsion politics. In one of his few forays onto the stump for Al Gore, he declared: "I think we're going to win the House and the Senate. But if we don't, someone needs to be doing what I've done for the last six years, which is to stop extremism in Washington, D.C., and you certainly only have one choice — Al Gore." But any such outcome was nearly impossible for voters to count on in 2000, for with the presidential race in constant flux, no judgment about congressional control could reliably be made.

A political contest in which congressional elections are nationalized and strongly connected to the presidential race is more likely to occur when the Congress itself is prominent in the public

mind. Congress certainly held such a position in 1996 when Newt Gingrich, locked in an ongoing personal duel with Bill Clinton, introduced a dramatic nationalizing and polarizing effect into congressional elections. Though Bill Clinton's shadow still loomed over the 2000 election, Newt Gingrich's was largely absent. Republicans as a collective entity in Congress managed to assume a far lower profile than in the elections of 1994, 1996, or 1998, and in the person of Speaker Dennis Hastert, they had found the perfect invisible man.

The Supreme Court, though not an elected branch, was as much "in play" in the 2000 elections as any of the elected institutions; and it, too, was a house divided. Although majorities on the Court vary from issue to issue, in recent years there have been fairly consistent conservative and liberal blocs, with a couple of justices swinging between them. Five to four votes, generally favoring the conservatives, have been a frequent occurrence. Not surprisingly, therefore, the Court's future majority became an important issue in 2000. As Al Gore pointed out in a speech during the last week of the campaign in Michigan: "The Supreme Court is at stake. There are going to be three, maybe four justices of the Supreme Court appointed by the next president of the United States. That means a majority on the court that will interpret our rights under the Constitution for the next 30 to 40 years." The Court, Gore was saying, would follow the results of the election. Never did he imagine that it would actually decide the results of the election.

ONE CONSEQUENCE OF THE ELECTION is unmistakable: there is no popular mandate of any kind. George W. Bush received nothing more than a key to his office. Neither party could make a plausible claim to be unambiguously in power. Spokespersons of the two parties were strangely subdued, and few on either side even attempted to argue for any kind of grand electoral victory. All they laid claim to were the races they had actually won — nothing less, yet also nothing more.

Americans awoke on November 8 to the realization that the nation had entered a period of unprecedented political equilibrium. Since 1994 the electorate had achieved political balance by distributing different majorities among the different national institutions. But until last November leaders of both parties had some reason to think (or publicly claim) that, except for some temporary and inhibiting factor, their party owned the "real" advantage. In 2000 the party leaders acknowledged that for now neither party is ahead.

Political leaders today are adjusting to this unusual situation of politics without a mandate. Neither party has been able to win an outright majority of the votes cast in a presidential election since 1988. Far from constituting a crisis, however, this situation may offer some new possibilities

for governance. With politicians operating without the overhang of a mandate, they are free to consider patterns of conduct unrelated to an extra-constitutional source of authority. Depending on what techniques and tone President Bush adopts, he could reintroduce institutional models, both for the presidency and for dealing with Congress, that have a closer affinity to the spirit of constitutional government.

The politics of the perfect tie take place, paradoxically, under a situation of unitary government, with each branch in the hands of the Republicans. This situation represents, in one sense, a high watermark of Republican influence in the past half-century. But while unitary government describes the formal situation of national politics, it does not capture the reality. Republicans clearly have no reason to apologize for their precarious "control" of the government, but the truth is that the November results have nothing in common with other recent moments of achieving unitary government (1964, 1976, and 1992), when at a minimum a claim of a "party" victory could plausibly be entertained. In 2000, the Republicans took control of the government after losing seats in both houses of Congress and losing the popular vote for president.

How much the Republican Party will actually be judged by the public to be running the country over the next two years is an interesting question. Robert Samuelson best stated the conventional wisdom when he observed, "Bush and the Republicans will have enough power to be blamed for anything that goes wrong—but not enough to accomplish much." It is traditional, in any case, for the president's party to be held accountable in mid-term congressional elections, regardless of whether or not it is in the majority. But there is reason now to wonder how much the traditional rules for parceling out party credit and blame in elections still hold in American politics, especially when so many voters have begun to question the idea of mandate democracy.

What do these developments mean for President Bush's ability to govern? At this point, three different scenarios or models seem possible.

One scenario foresees a period of intense and open partisan warfare in which the Democrats, acting as the out party, find it in their interest to obstruct major governmental action, appealing to public opinion for vindication in the next election. The general idea is that if little by way of legislation is accomplished, it will redound to the benefit of the out party. Obstruction would, of course, be concealed under claims that the president was not offering bipartisan proposals, a standard the Democratic leadership would solely define. This strategy might also encourage questioning of the Bush presidency's legitimacy, which in turn would lend further justification to an "outside" appeal to the people in a political referendum in 2002. This approach would paral-

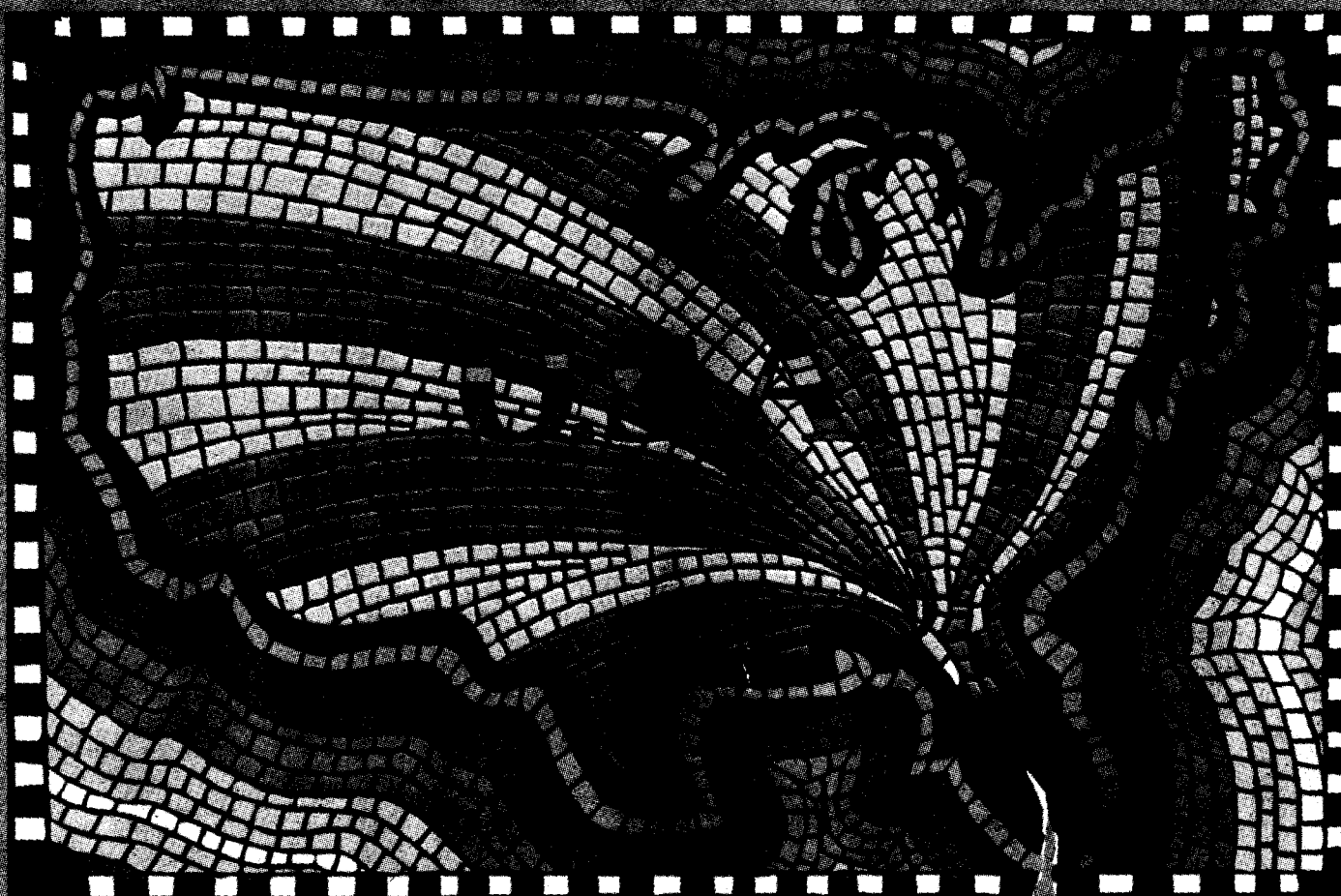
lel the tactics adopted by Andrew Jackson's followers during John Quincy Adams's presidency and by some Democrats in the aftermath of the disputed election of Rutherford B. Hayes in 1876.

A second scenario envisages a substantial degree of bipartisan cooperation and legislative action. President Bush would work largely with and through the established congressional leadership of the parties, negotiating in particular with the official leaders of the opposition, who would be authorized to speak for their party. Democrats would cooperate based on a calculation that voters are not in a mood to condone partisanship and would penalize either party if it were perceived as too obstructionist. Faced with this kind of uncertainty, Democrats might think that they have as much to gain as Republicans from a mutual record of legislative accomplishment.

A third scenario foresees "underpartisan" coalitions that accomplish modest legislative action through a series of tactical majorities combining Republicans and various Democrats, depending on the bill being debated. The president would deal here through individual members of Congress, especially certain sympathetic Democrats, rather than through the Democratic party leadership. This scenario reminds us that although everyone in Congress is a member of a party, in fact much of the action in Congress stems from individuals considering the interests of their own constituencies and their own particular electoral situation. Different coalitions can be forged on different issues, often taking place underneath the official party leadership. Bill Clinton employed this strategy after 1996, often securing the backing of "pressured" Republicans from constituencies where the President had strong support.

EVENTS LIKE A PERFECT STORM OR A perfect tie possess a terrible beauty that can remind people of the tremendous power of nature and of fate. Just as the Perfect Storm swept aside the structures man built to shield himself from the environment, so did the Perfect Tie overwhelm the institutions that were designed, in the words of *The Federalist Papers*, to prevent "tumult and disorder" and to produce a legitimate presidential victor. One by one, parts of the electoral system teetered and gave way. Trouble began on election night with the collapse of the television networks' vote projection system, which is relied on today, informally, to declare presidential winners. It spread next to disputes about the accuracy and reliability of election and balloting machinery in Florida, and by implication in the nation as a whole. It then finally moved on to confusion over Florida's election laws and, more ominously, to controversy over the rightful powers of state judicial and political institutions.

SEE PERFECT ON PAGE 20



As The College Goes— So Goes The Constitution

BY MICHAEL M. UHLMANN

THE 2000 PRESIDENTIAL ELECTION was certainly one for the books. Most of them, alas, will probably be written by professors who believe that the will of the people was thwarted, if not by the Supreme Court, then by an outmoded and undemocratic method of presidential election. President Clinton aided their cause a few weeks ago by questioning both the legitimacy of his successor and the integrity of the High Court. As if on cue, People for the American Way rounded up 385 law professors who, in so many words, accused five justices of betraying their oath of office for partisan reasons.

More along this line will be forthcoming in the months ahead, as Democratic propagandists construct a mythology of the "stolen" election in preparation for the 2002 and 2004 campaigns. In due course, the Constitution's provisions for electing presidents will be targeted as an obstacle to the effectuation of popular will. Senator Hillary Rodham Clinton, the late would-be reformer of the nation's health-care system, has already announced plans to abolish the Electoral College. The usual academic and television network suspects, who will puzzle gravely over why such a "dangerous" and "undemocratic" system continues to be tolerated, will

support her in this. Hearings will be held, polls taken, and national salvations will come forth in favor of so-called "direct" election of the president.

I say "so-called" because we already have de facto direct election of the president. Strictly speaking, voters choose only a slate of electors pledged to one of the nominees, but in practical matter the office of elector exists as well not exist. With but a handful of exceptions, electors have faithfully cast their ballots for the popular vote winner. The "faithless elector" problem (which is easily enough cured in any event) attracts attention from the larger agenda, which is to remove the states from presidential elections. That step would alter our political customs and constitutional order as nothing before.

We must remember that presidential elections are not a thing apart from the rest of our constitutional and political system. Our major political parties came into being, and came to life, for the primary purpose of capturing the presidency. Their structure follows the structure of the Constitution because the Constitution apportioned electoral votes to the states and requires a majority of electoral votes to win. Each state has a minimum of three electoral votes, with the larger states having more in proportion to the number of seats to which they are entitled in the House of Representatives. The Electoral College is thus a creature of the Constitution, and its very existence is a precise

reflection of the federal nature of the United States. Congress, and for precisely the same reason. Neither institution recognizes population alone as the exclusive measuring rod for democratic legitimacy.

Because the presidency is connected to the rest of the constitutional system, candidates must think about the unique structure of the nation they seek to lead. And because the states, whether small or large, are the principal presidential battlegrounds, candidates accommodate interests that might otherwise be ignored if the size of the popular vote were the only criterion for election. It is argued that, as the president represents "all the people," he ought to be elected by the people considered as a single national flock. But that conclusion conveniently ignores the federated nature of the American Republic. Campaigning in New Hampshire is very different from campaigning in California, and representing "all the people" means representing them no less as Texans or New Yorkers than as citizens of an undifferentiated whole.

Once the states are removed from the presidential election system, these important and celebrated features of political life will lose much of their significance. Voters in the less populous states, indeed in any area that cannot be readily subsumed in a mass media market, will be of decidedly secondary importance to presidential candidates. Politicians will gravitate toward the largest possible voters they can find at the expense of the

voter. That necessarily means the big television markets, where many millions of voters can be reached at a single thrust. Pitching voters is, of course, expensive, but on a per-voter basis it is the cheapest way to reach voters en masse. To be sure, mass marketing of this sort already occurs, but it is complicated by the necessity of reaching voters outside the big media markets. In a national plebiscite, national television campaigning will become the norm of the day. Say good-bye to state caucuses and primaries, even to national caucuses to which delegates now come in the form of state delegations. Say hello to pollsters and spinmeisters who will not talk about voters at the state and local level, except insofar as they can be molded into poll-driven sub-categories of national voter sentiment. Under direct election, the media mavens will no longer leave their offices in New York, Washington, or Los Angeles to run a presidential campaign. Why should they?

As John F. Kennedy said in defending the Electoral College in the 1960s, changing the mode of presidential election affects not only presidential candidates, but the whole solar system of our constitutional and political arrangements—in ways that are difficult to predict but unlikely to be beneficial. With a national plebiscite, the customary ties that bind state and local party units to national campaigns will necessarily dissolve. The national party committee will have to be radically restructured, with state-party representatives being displaced by political operatives bearing little or no allegiance to any state. Their loyalty will instead be to the personal campaign apparatus of wealthy or powerful candidates.

All this in the name of guarding against...well, what? We would face a constitutional crisis, it has been said, were a candidate to win a majority of electoral votes while trailing in the popular vote. That appears to have happened in 2000 (assuming that all votes were honestly cast and counted), but the Capitol still stands and President Bush took the oath of office. The applause and good wishes of his fellow citizens echoing in his ears. With the exception of a few discontented dissenters, the public seems satisfied that the result conformed to constitutional principles, and that is sufficient for them. The last time this happened was 1888, with much the same result. But an event that occurs once every 100 years or so is not imminent peril to the political order, nor exactly the stuff of which constitutional crises are made. (In passing, it's worth noting that no one really knows the actual popular vote count in any of the historical examples cited by opponents of the Electoral College.)

The truth is that the 2000 election was essentially a dead heat. The voters were cast and you have to go on.

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What the 20th Century Can Teach

the 21st



A Reader's Guide:
*The best books speak
to permanent truths.
Here, eight experts
recommend a few
essential volumes,
published in the
20th century, for
the new century's
bookshelf.*

RICHARD BROOKHISER ON POLITICAL BIOGRAPHY

The most interesting biographical works of the 20th century have been memoirs—public figures, or men touched by public events, speaking in their own voices about their experience.

From Japan's invasion of Manchuria in 1931 until the fall of the Soviet Union 60 years later, the century was dominated by totalitarian-inspired warfare, hot and cold. Winston Churchill, Prime Minister of Great Britain from 1940-45, masterfully surveyed the central conflict, of which he was the hero, in his six-volume *History of the Second World War*. His account has sweeping scope and piquant details—he recalls the smoke of burning documents at the Quai d'Orsay as French

bureaucrats destroy their files on the eve of the German victory. All is presented in an old-fashioned literary idiom, modeled on Macaulay and Gibbon, reflecting Churchill's old-fashioned conceptions of virtue and vice.

Much of the century's peacetime political life, as well as its wars, was dominated by virulent lying, excused by the ideologies that were the century's perverted religions. Adolf Hitler's *Mein Kampf*, published when he was only an aspiring despot, is a tedious specimen of totalitarian spin—brutal, coarse and sentimental (his account of his years as a poor Viennese art student could go straight to the Biography Channel). His chapter on lying, however, is an honest and fascinating primer in modern rhetorical techniques. Big lies, Hitler points out, are more readily believed than small ones; Machiavelli could not have said it better.

George Orwell's *Homage to Catalonia* describes the lies of Hitler's Communist peers, as encountered by the English socialist journalist during the Spanish Civil War, not only at the scene of the conflict, where the pressure of events might have extenuated them, at least to the lazy-minded, but in the free press of England, where the only incentives to repeat them were ideological sympathy and moral obtuseness. Orwell's efforts to set the record straight constitute a counter-primer in truth-telling.

At the century's beginning most of what is now called the Third World was ruled by European powers; by the century's end, even such backwaters as Macao had reverted to local domination. The memoirs of the Bengali intellectual Nirad C. Chaudhuri (*The Autobiography of an Unknown Indian*, and *Thy Hand, Great Anarch!*) give a first-hand account of this colossal shift, accompanied, in Chaudhuri's view, by needless violence and cultural debasement. One of the most poignant vignettes describes Chaudhuri's vain efforts to assure a Muslim mortally wounded in a communal riot that Chaudhuri, a Hindu, wishes to help him rather than finish him off.

The century was not inhabited only by heroes and villains. In islands of peace, average politicians plied their everyday arts. George Washington Plunkitt, a Tammany Hall district leader, gave a classic expression of his world-view in *Plunkitt of Tammany Hall* (written with William Riordan). This is the source of the phrase "honest graft." We would like our pols to be better, of course (though they could hardly be funnier), but the 20th century showed us they could be far worse.

Richard Brookhiser is author of *Alexander Hamilton: American and Founding Father: Rediscovering George Washington*.

PAUL A. CANTOR ON LITERATURE

It was a dark and stormy century. Thus the best and most characteristic literature of the 20th century was seldom edifying or uplifting in any simple way, but rather tended to be deeply troubled and disturbing. Reducing the wealth of 20th-century literature to five titles is admittedly an absurd task. But here goes — my list (in chronological order) is in many ways personal but is also meant to convey a sense of the rich variety of form and content in twentieth-century literature.

Joseph Conrad, *The Secret Agent* (1907) — Even more than *Heart of Darkness*, this Conrad novel offered a chilling prophecy of 20th-century politics. It accurately predicted the way the extreme right and the extreme left would challenge the liberal middle throughout the century, and more generally how abstract political ideologies would invade and destroy the domestic world and especially the family. And as a tale of double and triple agents, Conrad's spy story captured the duplicity of modern politics and above all the way modern revolutionaries would seek to remake reality to fit ideology.

William Butler Yeats, *The Collected Poems* — Probably the greatest lyric poet of the 20th century, Yeats offered a profound response to its apocalyptic violence. Eventually active in the politics of a newly

independent Ireland, Yeats grappled as both a man and an author with issues that turned out to be central to 20th-century experience: nationalism, decolonization, revolution, civil war. Throughout his extraordinarily long and varied career, he proved that a poet could remain true to traditional notions of lyric form and beauty and still come to terms with modern experience.

Thomas Mann, *Doktor Faustus* (1947) — In a century in which tragic experience threatened to become commonplace, Mann wrote the most tragic of all novels. By casting a modern composer as a latter-day Faust, Mann explored the connection between nihilism in culture and nihilism in politics, relating the destructive creativity of modernist art to Germany's Faustian pact with Hitler. Authors such as Orwell and Solzhenitsyn imaginatively explored the distinctively 20th-century phenomenon of totalitarianism, but no one probed its cultural and philosophical roots as deeply as Mann.

Samuel Beckett, *Waiting for Godot* (1954) — At once the most innovative, influential, and representative literary work of the second half of the 20th century, *Waiting for Godot* stretched the limits of drama and pioneered the path that has come to be known as post-modernism. No work of the century captured more fully or more poignantly the spiritual emptiness that came to haunt the modern world. And while deconstructing traditional notions of dramatic form and voiding the stage of conventional meaning, Beckett wrote a prose of such lyric beauty as to restore paradoxically the poetry of drama in a prosaic age.

Salman Rushdie, *Midnight's Children* (1980) — Perhaps the greatest of the authors who have emerged in what is often called postcolonial literature, Rushdie showed how the frontiers of literature could be expanded when East meets West and in particular how English as a global language could acquire a new power and range. His epic novel of Indian independence brings together myth and history to capture the extraordinary hybrid character of postcolonial existence. Breaking through all boundaries — between high art and pop culture, between literacy and orality, between realism and fantasy — *Midnight's Children* may be our best clue as to what the globalized literature of the 21st Century will look like.

Paul A. Cantor is author of the forthcoming volume *Gilligan Unbound: Pop Culture in the Age of Globalization*.

ANTHONY FUCALORO ON SCIENCE

Modern science contributed mightily to the intellectual climate leading to the enlightenment and, years later, to the climate leading to its decline. How is that possible? The answer is revealed by considering what science has discovered as well as its method of discovery.

Attendant to the birth of modern science were optimistic expectations that scientific progress would lead to pretty much what it has led to: a bountiful existence for man — at least for those living under constitutional political regimes.

But along the way, science removed the earth from the center of the universe (Copernican revolution), abolished Creation (Darwinian evolution), and called

into doubt traditional, commonsense notions of human self-motion (modern neuroscience).

One of the most revealing accounts of this last point can be found in E.O. Wilson's *Sociobiology*, which claims that all human behavior is related to adaptive traits evolved over the millennia. Thus human nurturing of the young results from hormones acting within neural networks — a system created and mediated by the genetic code, itself formulated over eons by "trial and error." The propagation of the species is apparently achieved by a purposeless, sterile (so to speak) mechanism.

Albert Einstein and others pointed out that the modern scientific method rests upon two fundamental principles: the observational tradition perfected during the 16th and 17th centuries and the application of "deducto-logical" systems to these observations. These systems (mathematical constructs form the largest subset) lead to conclusions drawn from the application of logic to sets of assumptions (often referred to as axioms or postulates), which are themselves not logically provable. These conclusions are unassailable if and only if the assumptions are correct.

Modern science has developed powerful, yet often subtle, observational tools to verify axioms. So, for example, mathematicians have found that one of Euclid's axioms does not conform to observation, necessitating a new geometry. Both geometries are correct in the sense that each is a self-consistent deducto-logical system, but only one meets the criterion that its axioms conform to observations, albeit incredibly sophisticated ones. For those with a mathematical bent, I recommend Irving Adler's *A New Look at Geometry* which describes, in some detail, the role of mathematical constructs in the scientific enterprise.

Science makes no appeal to transcendental notions. Its laws are devoid of human passion. The enterprise itself assumes a purposeless nature and unsurprisingly discovers no purpose in nature. However, science is a human enterprise; scientists do science and governments control it. How this affects scientific progress is discussed in Thomas Kuhn's *The Structure of Scientific Revolutions*.

For example, nothing inherent in medical science compels its practitioners to heal rather than harm. This is decided by the moral (political) regime within which physicians practice. (Consider the conduct of physicians working at Auschwitz and Lubyanka in the last century.) Leon Kass in *Toward a More Natural Science* has heroically attempted to recast modern science, especially medical science, in a way that accounts for human ends, including morality, within the enterprise itself. This teleological approach is reminiscent of the ancient sciences and represents a major break with the modern scientific tradition.

Modern science is generally regarded as hugely successful, prompting other disciplines (like politics and economics) to adopt its method in modified form. This trend is fraught with danger because it either ignores or distorts human freedom. Mastering scientific techniques of political leadership is one thing; discerning the proper goals of leadership is something else again.

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ROBERT P. GEORGE ON JURISPRUDENCE

The flowering of interest in jurisprudence among English-speaking philosophers in the second half of the 20th century produced a number of outstanding books. The four I discuss are, in my judgment, of the deepest and most lasting significance.

H.L.A. Hart's magisterial *The Concept of Law* (1961) was designed to correct key defects in the thought of earlier figures in the tradition of analytic jurisprudence, particularly Jeremy Bentham and John Austin. While retaining his predecessors' insistence on maintaining a sharp "conceptual separation" between law and morality (or "law as it is" and "law as it should be") Hart faulted them for adopting a purely "external" approach to legal phenomena that left out of account the important respects in which citizens and public officials characteristically treat legal norms as reasons for actions. Hart showed that the simpleminded Benthamite understanding of law as "orders backed by threats" (the so-called "command theory") fails to describe accurately the role and functions of law in developed societies. The problem is not, he insisted, in the early positivists' aspiration to describe law independently of moral evaluation; it is, rather, that their descriptive theories "failed to fit the facts."

Lon L. Fuller argued in his masterwork *The Morality of Law* (1964) that the legal positivism Hart retained from Bentham and Austin should be rejected. According to Fuller, careful attention to the "purposive" nature of law reveals that positivism's insistence on the strict "conceptual separation" of law and morality is untenable. Law, Fuller observed, is a matter of "subjecting human behavior to the governance of norms." But to accomplish this goal, rulers — even selfish or corrupt ones — must conform their edicts to certain procedural criteria of legality. Their commands must be promulgated, prospective, reasonably clear, etc. Otherwise, people to whom they are directed will simply not be able to comply with them. Fuller maintained that the criteria of legality, though procedural, constitute an "inner morality of law." And while it is possible for rulers to respect this inner morality while pursuing evil ends, their powers of repression will be significantly mitigated by their compliance with "the rule of law."

Joseph Raz, a student of Hart's, brilliantly defended his teacher's legal positivism and further developed the modern tradition of analytic jurisprudence. In *Practical Reason and Norms* (1975), Raz explored the different ways in which laws function in people's deliberation and action. He observed that often legal rules function as norms for coordinating human behavior to achieve social goals (e.g., traffic safety, environmental protection). Thus, they provide what he labeled "exclusionary reasons." These are reasons for disregarding other reasons for acting, despite the fact that in the absence of exclusionary reason these other reasons would properly be taken into consideration, and might even justify an alternative course of action.

The idea of exclusionary reasons, as developed by Raz, is plainly incompatible with the reductionism of the Benthamite account of law, and evinces the willingness of contemporary legal positivists in the analytic tradition to treat human behavior as, in part at least,

reasoned and chosen, and not merely as the pure product of external causes. In related writings, Raz responded to Fuller's critique of Hart by arguing that the procedural criteria of legality that Fuller had usefully elucidated are not properly conceived as an inner morality. Raz maintained that, like a sharp knife, the rule of law can be used for good or bad ends. Indeed, conformity to the rule of law, where it improves the efficiency of the evildoing of wicked rulers, is a bad thing.

John Finnis, another student of Hart's, deployed analytic methods in his great work *Natural Law and Natural Rights* (1980) to develop the tradition of natural law theorizing. Finnis argued that "there are human goods that can be secured only through the institutions of human law, and requirements of practical reasonableness that only those institutions can satisfy." Finnis showed that positivism's concern to preserve the autonomy of descriptive jurisprudence is entirely compatible with a sound understanding of natural law and natural rights. His objection to the work of Hart and Raz was that their theories had not gone far enough in pressing the basic insight about laws' role in providing citizens and officials with reasons for action. They rightly rejected Benthamite reductionism and insisted on understanding law from "the internal point of view" — the viewpoint of the citizen or official who treats legal norms as characteristically providing action-guiding reasons. But they failed to see that the "central" or "focal" case of the internal point of view is the viewpoint "in which legal obligation is treated as at least presumptively a moral obligation . . . a viewpoint in which the establishment and maintenance of legal order is regarded as a moral ideal if not a compelling demand of justice."

Robert P. George is author of *Making Men Moral*.

WILFRED M. MCCLAY ON AMERICAN HISTORY

There is no discipline whose products become more easily dated, and thereby more thoroughly transformed into artifacts of their own historical moment, than those of history. Reading Charles Beard or Frederick Jackson Turner or Vernon Louis Parrington today, one inevitably thinks of them as creatures of their time, not as thinkers who stand outside of it. Can one imagine a more Dante-esque punishment than to be adjudged "a great historian in his day" but of only antiquarian interest now?

Fortunately there are works of history that rise to the challenge, though they are not necessarily the best-known ones, and are not necessarily written by people who call themselves historians. The key is that they must address themselves to the questions that will likely dominate the 21st century, and to aspects of 20th-century experience that the coming century might be prone to forget.

By that criterion, the first book on my list has to be Herbert Butterfield's *The Whig Interpretation of History* (1931), even though it is not a work of American history, since it is the best single challenge to the complacent view that History has an inevitable structure, and that all Progress is good. The coming century will need that reminder even more than the 1930s did. Just as valuable is Reinhold Niebuhr's stunning little book, *The Irony of American History*

(1952) which incorporates the Christian understanding of inherent human limitation into a large and powerful interpretation of the meaning of the American experiment.

The century to come will need to be reminded of the classical-liberal virtues of spontaneous order, the perils of "planning," and the importance of maintaining diverse scales and types of organization in society and government. For this purpose, in addition to the many works of Friedrich Hayek and Robert Nisbet, most of which treat many features in American history, it can profitably consult Jane Jacobs's still-luminous *The Death and Life of Great American Cities* (1961), Robert Higgs's *Crisis and Leviathan: Critical Episodes in the Growth of American Government* (1987), and Robert Wiebe's thoughtful and underappreciated *Self-Rule: A Cultural History of American Democracy* (1995).

It also will need to remember the totalitarian temptations that disfigured the 20th century. Although works of European history will serve that need best, Whittaker Chambers's great American memoir *Witness* (1952) supplies just what its title indicates — a powerful testimony to Communism's alluring poison — along with an exaggerated pessimism about the future of the West that should serve as an implicit rebuke to any such tendency in ourselves.

As the historical sense atrophies, our new century will also need to remember what an intense and intellectually engaged use of the past might look like. For that purpose, it could hardly do better than looking to the liveliest and most thought-provoking American historian of the last third of the 20th century: Christopher Lasch. He was not, I hasten to add, the best historian, or the most careful, or the most thorough, or the most reliable. In fact, some of his judgments were appallingly bad. Although his work was almost always seriously flawed, it was flawed precisely by the compulsive moral energy and intellectual honesty with which he produced it. Two of his works are especially likely to have residual power: his rambling, cranky, idea-rich book *The True and Only Heaven: Progress and Its Critics* (1991) and his posthumously published *The Revolt of the Elites and the Betrayal of Democracy* (1996), the latter quite possibly the best of all his works. In a century in which the very definition of the human person is going to be up for grabs, I am confident that Lasch will be seen to have asked the right questions, and to have some of the right answers.

Wilfred M. McClay is author of *The Masterless: Self and Society in Modern America* (1994).

HARRY NEUMANN ON POLITICAL PHILOSOPHY

Political philosophy's perplexity is the unavoidable tension or conflict between its two components, philosophy and politics. Unavoidable because philosophy strives to call into question what politics reveres as self-evident eternal truth. Thus, only a fake politics views itself as most, if not all, modern politics does — as grounded not in rational insight into eternal goodness and truth, but in mere faith, commitment, opinion, belief.

Carl Schmitt, a German philosopher and contemporary of Leo Strauss, rightly insists that, at bottom,

all politics is theological: without theology, no morality; and without morality, no politics. (See Schmitt's *Political Theology*, as well as the more recent *Politische Theologie II: Die Legende von der Erledigung jeder Politischen Theologie*. This has, so far as I know, not yet been translated).

The feud between ancient and modern politics is basically theological. Ancients acknowledge their subordination to eternal, impersonal Law, a non-arbitrary standard of good and evil. Like Schmitt, moderns make no such acknowledgment. Their divine "role-model" is an absolutely free, omnipotent Individual who, as such, is beyond good and evil or rather creates His (or Her?) own good and evil *ex nihilo*. Consider the Supreme Court's 1992 decision in *Casey*, which bestowed on all individuals "the right to define one's own concept of existence, of meaning, of the universe and of the mystery of human life."

Inspiring that apotheosis of autonomous individuality is the modern theology of Spinoza, Rousseau and Hegel, the main enemies of the ancient politics defended today, perhaps solely, by Harry V. Jaffa, most recently in his *A New Birth of Freedom*. This defense makes Jaffa's politics and philosophy, his political philosophy, ancient not modern. I don't mean "ancient" and "modern" here chiefly in a temporal sense. Such a recovery of ancient philosophy was pioneered in this century by Jaffa's teacher, Leo Strauss, in *Liberalism: Ancient and Modern and The Rebirth of Classical Political Rationalism*, to name but two of his luminous works.

Ancient piety, as well as the politics derivative from it, views itself as grounded rationally in eternal Law, not in faith or belief. Socrates' Athenian accusers perceive only irrationality in his gadflying efforts to cut their pious politics down to philosophic size, to open it to his impious prying. Whether Socrates' or the Athenians' is the right way to go, this is the question for which philosophy, then and now, comes up with no adequate answer.

Philosophy's unsatisfactory grasp of how (or even whether) to live condemns it to this Limbo — what Plato depicts as a "cave." Accordingly philosophy, and therefore all serious scientific or liberal education, remains in essence political, political philosophy. Philosophic awareness of ignorance rules out unambiguous liberation from politics and its piety: no philosophic superordination of philosophy over politics.

The politics championed by Thomas Jefferson, Abraham Lincoln and Harry Jaffa is grounded in the self-evident rational truth of the laws of nature and nature's god, not in faith or belief. It opposes both conservatives and liberals whose ultimate justification, whether they realize it or not, is the anarchic, indeed atheist, deity of Schmitt and Spinoza. This atheist religiosity inspires faith in human autonomy whether by isolated individuals or socialized majorities or minorities, i.e., the "triumph of the will."

For Jefferson, Lincoln, and Jaffa nothing human is, or can be, autonomous. The rights to which they appeal are bestowed by superhuman Law, by nature's god, not by human (or divine) willfulness. In this sense, they are more philosophic — because more political — than Spinoza, Rousseau, or Hegel. Said in one sentence: political philosophy is ancient, not modern.

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MACKUBIN THOMAS OWENS ON WAR

It is no exaggeration to argue that the "short century," ushered in by World War I and ended in 1989 by the collapse of the Berlin Wall, was the most destructive epoch in world history. It is thus all the more instructive to note that the optimism which characterizes our time — the belief that large-scale war is no longer possible — bears an uncanny resemblance to the optimism of the pre-World War I era. The similarities between Francis Fukuyama's *The End of History and the Last Man* and Norman Angell's *The Great Illusion* are remarkable.

In *The World Crisis*, his memoir of World War I, Winston Churchill mocked this fatuous optimism as it manifested itself during the Agadir Crisis of 1911, which although it was peacefully resolved, marked another milestone on the road to Armageddon.

Churchill remarks that for the statesman at the pinnacle of power, politics and strategy become one. And it is this perspective of the unity of strategy and policy that makes both *The World Crisis* and his six-volume masterpiece, *The Second World War*, studies of war without peer. No other statesman of the 20th century had both the opportunity and the literary skill to achieve what Churchill did in these two works.

The choice of Carl von Clausewitz's *On War* may seem odd for this symposium, since it was written in the early 19th Century and never completed. Still, it merits inclusion here because of the new translation and commentary that appeared in 1976. *On War* is difficult at best — it has been badly translated, especially into English. German officers rarely read Clausewitz, dismissing him as too abstract, and the British misread him and attribute to him the most nonsensical ideas. But the careful translation by Michael Howard and Peter Paret reveals a theory of war that transcends time and place. War has a nature, and Clausewitz describes it as no one else has.

In his remarkable book, *On the Origins of War and the Preservation of Peace*, Donald Kagan provides a comparative study of the Peloponnesian War and World War I, the Second Punic War and World War II, and the Cuban Missile Crisis. From these case studies he concludes: "that good will, unilateral disarmament, the avoidance of alliances, teaching and preaching the evils of war by those who...seek to preserve peace, are to no avail.

"What seems to work best... is the possession, by those states who wish to preserve peace, of the preponderant power and the will to accept the burdens and responsibilities required to achieve that power."

Finally, Anton Myrer's *Once an Eagle* is a fictional account of the 20th century American Army in war and peace. The novel's protagonists are two contrasting types of officers. Sam Damon is the very embodiment of citizen-soldier — virtuous, noble and self-sacrificing, loyal to his men and to his profession. By contrast, Courtney Massengale looks the part but lacks the soul of a soldier. He is a self-promoting careerist, out only for promotion and prestige. It is no wonder that since its publication at the height of the Vietnam War, *Once an Eagle* has been required reading for the American officer corps.

These books provide a useful antidote to the naïve optimism about international relations that all too often characterizes our time. Most importantly, they

drive home Professor Kagan's central point that "Peace does not preserve itself."

Mackubin Thomas Owens is professor of strategy and force planning at the U.S. Naval War College.

PAUL A. RAHE ON ANCIENT HISTORY

Civic-minded students of the past would do well to heed the advice of Thomas Jefferson, who argued that all young Americans should study the history of ancient Greece and Rome as well as that of modern England and America. Studying the history of liberty would "avail" our country's future citizens "of the experience of other times and other nations," he said. Only such an education in political prudence could render "people the safe, as they are the ultimate guardians of their own liberty."

Jefferson did not recommend Greek and Roman history because he was an unabashed admirer of classical antiquity. The founder of the University of Virginia was mercifully free from what the late Hannah Arendt aptly termed "polis-envy." He once told a correspondent that "the introduction of the new principle of representative democracy has rendered useless almost everything written before on the structure of government; and, in a great measure, relieves our regret, if the political writings of Aristotle or of any other ancient, have been lost, or are unfaithfully rendered or explained to us."

Jefferson was, nonetheless, sensitive to the fact that the ancients had invented political freedom, and he was persuaded that much could be learned from studying their failure to defend and maintain it. Friends of liberty must be made acutely sensitive to its fragility.

Jefferson certainly would have been fascinated by the argument linking small-scale agriculture and the emergence of political freedom advanced in Victor Davis Hanson's *The Other Greeks: The Family Farm and the Agrarian Roots of Western Civilization* (1995). And he would no doubt have taken great delight in Donald Kagan's splendid description of Athens' travails in his four-volume *History of the Peloponnesian War* (1969-87), although I myself suspect that he would have treasured Robert Strassler's *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War* (1996) even more. With all its maps and appendices, it is a pearl beyond price.

Jefferson would have read Claude Nicolet's *The World of the Citizen in Republican Rome* (1976), puzzling over its elegant Aristotelian analysis of the republic's extraordinary success and ultimate demise. But I have no doubt that he would have preferred Ronald Syme's *The Roman Revolution* (1939), savoring the great man's Tacitean prose, pondering his grim account of the decline and fall of the Roman republic, and closely examining his description of Augustus's elaborate attempt to clothe monarchical rule in republican garb—before going on to read the work's two-volume sequel, Syme's magnificent *Tacitus* (1958). No academic historian writing in the 20th century even came close to achieving what Syme accomplished within his chosen field.

Paul A. Rahe is the author of *Republics Ancient and Modern: Classical Republicanism and the American Revolution*.

PERFECT

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The problems that began on November 7 seemed to most Americans to be at first the stuff of history books, drawn from a more primitive political era. Journalists found themselves searching for accounts of the last disputed presidential election, when a close national election result in 1876 led to charges of widespread electoral fraud and a revisiting of the votes in a few of the reconstruction governments in the Southern states, including Florida. Charges of a similar kind were raised in 2000, but most people realized that fraud in the literal sense was not really the source of problems in this election. Instead, it was the exceptional way the vote was distributed around the coun-

try, coupled with an unexpected technical challenge that by chance occurred in the state of Florida, where the difference in vote totals between the two main candidates was smaller than the margin of error that the electoral mechanisms could handle. It was more than Florida had planned for, more perhaps than it might reasonably have been expected to plan for.

In the end, the nation's political system held up. Or at least it held up in the sense that a president of the United States, George W. Bush, was finally chosen, albeit more than five weeks after election day. Civil unrest and violence were also avoided, owing in part, it would seem, to the good fortune of an election that had taken place in times of plenty, and in an era lacking highly divisive issues. But the stress

placed on the political system was evident. It took a highly controversial decision by the United States Supreme Court (determined by a five to four vote) overruling a highly controversial decision by the Florida Supreme Court (determined by a four to three vote) to assure George Bush his election. Bush assumed the presidency with the formal blessings of almost everyone in the political class, and with general support from the American people. But the very fact that issues of legitimacy were raised meant that his title to the office fell short of being universally acknowledged.

Even as the Hollywood movie *The Perfect Storm* devoted a good deal of attention to the rescue efforts that attended the calamity, so in this case citizens should pon-

der how different political institutions and actors responded to the extraordinary challenges they confronted after the election. These questions go well beyond what is usually covered in electoral studies and extend into realms that assess prudence and statesmanship. Here, alas, political science has developed no index to assist us.

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COLLEGE

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third decimal place to ascertain a winner, the public is unlikely to be alarmed no matter who is declared the victor. What matters to most people is fidelity to constitutional rules and an orderly sense of finality. The "crisis" appears to exist only in the heads of would-be reformers and certain disgruntled Democrats. The anomalies of 2000 aside, the electoral-vote system has regularly produced not only a popular-vote majority or plurality for the winner, but a geographically distributed electoral vote as well. The overall effect has been to transform the winner's often narrow popular-vote margin into a politically plausible and potentially powerful claim of victory. The next time you hear someone talk about the paramount importance of the popular vote; ask him about Bill Clinton, who entered office in 1993 after having been rejected by 57% of the electorate.

A quick glance at the electoral map helps to explain why the public is not alarmed by President Bush's lack of "legitimacy": His electoral-vote majority was razor-thin, but he carried 30 states and five-sixths of the nation's counties. Conversely, the geographic pattern of Mr. Gore's state victories was far less dispersed. Although he appears to have won the national popular vote by a slim margin, the map makes clear that his base of support was far less representative of the nation than Mr. Bush's. His heaviest vote came precisely from those areas dominated by big-city machines and mass television markets. Under direct election, that geographically skewed pattern, dominated by areas of heavy population density, may be sufficient to carry the country, but will it truly reflect the rich diversity of the nation's interests? Direct election seeks to guarantee popular-vote winners, but it cannot guarantee that a popular majority will be a relatively accurate microcosm of the country. The Electoral College, by contrast, almost always does.

The Framers understood the limits of simple-minded majoritarianism of the sort embraced by direct election. If elections were simply a matter of counting heads and stopping when you got to 50% plus one, we could dispense with all the checks and balances of the Constitution, including federalism, bicameralism, the separation of powers, and, yes, the Electoral College. The point of these time-honored devices, which are all

part of an integral whole, is not to circumvent popular sentiment, but to shape and channel it in ways that support the principal end for which popular government is constituted: to secure the equal rights of all. Majority rule can become majority tyranny, as the wisest thinkers on politics have always known. The trick in establishing popular government is to empower the majority without endangering the rights of minorities. Thomas Jefferson said it well in his First Inaugural Address, following one of the most bitterly contested elections in American history:

All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate which would be oppression.

Not just any majority will do in a government dedicated to protecting the equal rights of all. One must pay heed not only to the numerical size of a winning coalition, but to the manner of its composition. The Electoral College has been notably successful in producing Jefferson's reasonable majorities. That is no small accomplishment in a nation of this size and diversity, whose natural tendencies are centrifugal. Political passions run deep and never more so than when one is on the losing side. In losing, we are often heatedly disappointed that our policy preferences must bow to those of the opposition. But even as we rail against our opponents and vow to oust them the next time around, we do not seriously fret that the winning party will endanger our basic rights. Part of the reason is that the electoral-vote system, reinforced by the winner-take-all custom prevailing in 48 states, requires all national candidates to solicit support from most of the same voters. That requirement drives major candidates toward the center while helping to ensure that the winner, once in office, will take care to govern from the center. Winner-take-all also induces interest groups, in turn, to moderate their demands and to accommodate them as best they can to both major parties during and after elections.

A national plebiscite conducted without reference to winner-take-all in the states (indeed, without reference to the states whatsoever) has no mechanism to ensure

that the major party candidates will appeal to all or most of the same voters. It cannot even ensure, the way the Electoral College does, that we will have only two major parties; on the contrary, direct election will encourage the formation of all sorts of narrow-interest parties. Direct election has no mechanism, in short, to ensure that the majority coalition will be reasonable, in Jefferson's sense, either during the campaign or after taking office.

The United States has never known plebiscitary politics of the sort envisioned, by direct election. While it is hard to say for sure, the almost certain result will be much sharper ideological, geographical, racial, and religious divisions. And because direct election will produce a runoff election virtually every time, there will be little incentive for candidates to moderate their stands until after the first vote. Coalitions will be hastily assembled in between the first election and the runoff, but hastily assembled coalitions are also hastily disassembled. A notable and dangerous instability may thus become a permanent feature of American politics under direct election. The Electoral College is not solely responsible for inducing a spirit of moderation and compromise, but it exerts a powerfully moderating influence over candidates' thought and behavior. By dictating the strategy and rhetoric of campaigns, it guides political ambition into politically constructive channels that at once reflect and reinforce the principles of the regime.

We cannot say for sure what forms presidential ambition will take under direct election, but we know this much: It would be most unwise, even dangerous, to disconnect our chief executive from the rest of our constitutional and political system without compensating for the loss of the Electoral College's moderating influences. Take another look at the electoral map of 2000 and ask yourself what incentives to compromise would exist under direct election. Ask whether voters in the less populous states would matter in a national campaign that focused almost exclusively on mass media markets. Or consider the Florida imbroglio and ask whether we would be better off if such squabbles took place in dozens of places at once throughout the country, as they almost certainly would under a national plebiscite. Then ask yourself which sys-

tem would be more likely to contain fraud. (There are approximately 200,000 polling places in the United States. Under direct election, as Everett Dirksen might say, a few votes here, a few votes there, and pretty soon it all adds up.)

Ever since the presidency became a popularly elective office, campaigns have been conducted on a state-by-state basis. Most of our political habits, customs, expectations, and opinions about presidential politics are informed and mediated by the principles of federalism. The same holds true for the candidates, who learn much about this nation's diversity by being forced to campaign throughout the country – and much also about our unique constitutional system and the political culture it inspires. Once election to the presidency is severed from the rest of our constitutional system, new incentives will be created, and new lessons taught, none of which will have very much to do with the way elections have been conducted in the past. If "the will of the people" is seen as an independent force, separate and apart from the rest of our constitutional structure, how shall we constrain a president who invokes the "moral mandate" of popular will as his reason for ignoring that structure once in office?

Michael Uhlmann is adjunct professor of government at Claremont McKenna College.

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The Spectacle of the Oscars

BY BEN BOYCHUK

EVERY FEBRUARY AROUND THIS time, the Academy of Motion Picture Arts and Sciences announces the nominations for its annual awards. And every year the crop of Oscar-worthy films seems to get smaller and smaller.

Conventional wisdom has it that 2000 was a lousy year for movies. Hollywood churned out hundreds of films. But for every *Gladiator*, there were a dozen *Art of Wars* clogging the screens. For every *Shadow of the Vampire*, two-dozen *Dracula* 2000s. For every *Chicken Run*, a hundred *Return to Me*'s.

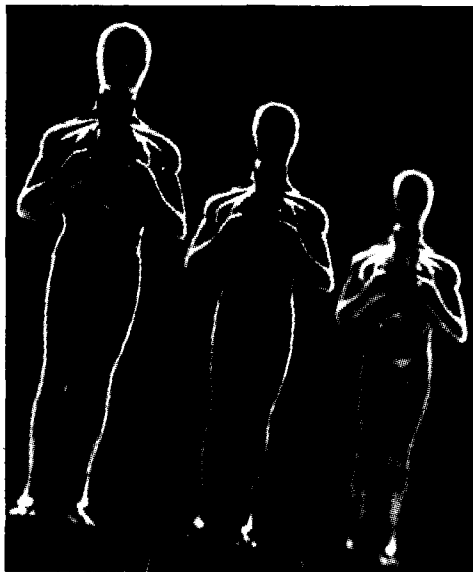
The most disappointing film of 2000 was probably *The Patriot*. Right-thinking Americans couldn't help sympathizing with the cause portrayed in the film. But nobody left the theater with any desire to pledge their lives, their fortunes, or their sacred honor to defend Mel Gibson from feckless critics who shrieked over scenes of young boys with muskets. The movie simply wasn't very good.

When it comes to pop culture, conservatives may be justly regarded as "the stupid party." Remember *Forrest Gump*? A disturbing number of conservatives thought it had something to do with "family values." Nonsense.

It's almost always fatal to ascribe "conservatism" to a Hollywood product. That said, *Gladiator* may be the most conservative film in years. It is about Rome only superficially. The filmmakers are interested not so much in the particulars of ancient Roman history as as much as the troubles besetting America today. *Gladiator* assails the cult of celebrity. It takes dead aim at the decadence of the political class. It affirms the virtues of duty to country and family. "Strength and honor" is its rallying cry.

The hero of *Gladiator*, Maximus, is a great general who serves the Empire well. But he cannot wait to return to his fields and his family. He is called upon by his emperor, Marcus Aurelius, to be "the Protector of Rome" and make the Empire a republic again. Maximus doubts he is suited to the task. But before Marcus' wish may be carried out, he is killed by his own son, the utterly amoral Commodus. The young prince lacks the classic virtues of temperance, courage, justice, and prudence. But, as Commodus tells Marcus before killing him, he possesses "other virtues."

Maximus suffers a series of calamities and is enslaved. He finds himself thrown



into the arena, forced to fight or die. Engulfed by the roar of the mob, he is sickened by it. "Are you not entertained?" he bellows. Then he spits on the dirt.

In Rome, Commodus plots to destroy the last vestige of republican rule, the Senate. He satisfies the populace with bread and circuses. He loves the roar of the mob, which rules him more than he rules it. When Maximus eventually returns to Rome to fight in the Coliseum, Commodus finds it difficult to kill him because his beloved mob loves Maximus more than it loves Caesar.

Maximus swears vengeance on Commodus, and he has it. But his dying act is to carry out the wish of Marcus Aurelius. When the film ends, the audience is left to think that Rome is well on its way to becoming a republic again. Typical Hollywood happy ending? Or were director Ridley Scott and his screenwriters trying to say something else?

Gladiator ought to be best picture of the year. But it will probably get the royal thumbs down. For Maximus will face foes far more fearsome than Commodus or his Praetorian Guard. He'll face *Erin Brockovich*, with her ample cleavage and her stirring message of sticking it to a soulless corporation in the name of environmental justice. He'll face *Traffic*, a clever bit of propaganda (with very fine performances, to be sure) about America's losing "war on drugs." He'll probably also be up against the dancing warriors of *Crouching Tiger, Hidden Dragon*. And he'll no doubt take on *Forrest Gump* in *Castaway*.

Traffic will likely take the Oscar. Strength and honor are well and good. But like Commodus, Hollywood holds "other virtues" in much higher esteem.

Ben Boychuk is Managing Editor of the Claremont Review of Books.

THE REVIEW OF POLITICS

CITED AND READ THROUGHOUT THE WORLD FOR THREE GENERATIONS

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Ken Burns Ain't Got That Swing

BY MARK GAUVREAU JUDGE

Ken Burns' Jazz: The Story of America's Music, Sony-Columbia Music, 5-CDs, \$59.97

Jazz: A History of America's Music, by Geoffrey C. Ward and Ken Burns. Alfred A. Knopf, 489 pages, \$65

KEN BURNS' LATEST EFFORT, A 10-PART, 18-and-a-half hour documentary on the history of jazz, hit the public airwaves in January. As a jazz critic, I received numerous requests to review the production. My response was always the same: I don't need to see it to write a review. It's Ken Burns, hippie granola-head and king of the documentary-melodrama, which means we're in for yet another race-obsessed orgy of political correctness.

Well, I was half-right. Burns' *Jazz* actually had some memorable moments: Louis Armstrong creating magic on his horn, leonine dancers at the Savoy Ballroom, sharp cultural criticism by Wynton Marsalis (who also served as a creative consultant to the film) and Stanley Crouch. And the accompanying book is a wonderful coffee-table offering of the music. But for all of that, Burns still couldn't help himself. Again and again in the film, he showcases the racial slights suffered by black musicians at the hands of whites. This was indeed a part of jazz history. But Burns often makes it usurp the music, which is colorblind.

This is the Burns touchstone. And it was entirely predictable — especially for anyone who read the liner notes of the *Jazz* soundtrack, which was released months before the film aired. There we learn that the documentary "presents the wide range of American cultural and historical events that interact directly with the music — among them harsh racial polarization of the 1890s and early twentieth century; the artistic and political ferment of the Harlem Renaissance; the exuberance of the Jazz Age; the Great Depression and the New Deal; the Second World War; the emergence of a youth culture in the 1950s and the 1960s; the hope, anger, and expectations of the civil rights movement; and the search for identity and authenticity in the 1970s, 1980s, and 1990s." As if there was any doubt, the next paragraph informs us the "Jazz raises questions central to American life: about race and class, art and commerce, virtuosity and collaboration, the individual and the community . . . It is a story of affirmation in the face of adversity." Oh, yes, and there were some musicians involved.

Jazz gives us, yet again, the old story about how the music was invented by blacks in the whorehouses of New Orleans and then traveled up the Mississippi River to northern cities. Historian Ted Goia more or less demolished this myth in his seminal *Jazz: A History*. Buddy Bolen, widely noted as the first jazz player, learned to play his horn in church. And the music didn't really travel up the Mississippi as much as people thought — after all, Chicago and New York are hundreds of miles from the river's shores. And why Burns would drag the "youth culture" of the '50s and '60s into what has always been regarded as an adult art form is a mystery.

Burns also misleads with his orthodox interpretation of "the artistic and political ferment of the Harlem Renaissance." The sharpest critics of the Harlem Renaissance and its claims of a new African-inspired sensibility in the arts were black journalists and scholars, but Burns neglects to mention that. George Schuyler, the most prominent black journalist of his day, poleaxed the Renaissance in a 1926 essay. He noted that "black" American art was just like "white" American art — name-



ly, influenced by Europe. "This, of course, is easily understood if one stops to realize that the Afro-American is merely a lampblack Anglo-Saxon," Schuyler wrote. "If the European immigrant after two or three generations of exposure to our schools, politics, advertising, moral crusades, and restaurants becomes indistinguishable from the mass of Americans of the older stock (despite the influence of the foreign-language press), how much truer must it be of those sons of Ham who have been subjected to what the uplifters call Americanism for the last three-hundred years. Aside from his color, which ranges from very dark brown to pink, your American Negro is just plain American."

But blacks today can't be just plain Americans, at least according to a certain elite way of thinking. In *Jazz*, there is a lengthy dissertation on the song "Strange Fruit," which is about lynching, and how Billie Holiday risked life and limb just to sing it. What isn't said is that, lyrics aside, "Strange Fruit" is a mediocre song: plodding, insipid, unmelodic. But then, liberals have always loved Billie Holiday not as a jazz talent but as a junkie-martyr to white supremacy. This is probably why on the five-disc *Jazz* soundtrack, Holiday has five songs while the effervescent and sanguine Ella Fitzgerald has one, a throwaway from her early years. Also missing: Sinatra, Dinah Washington, Mel Torme, Peggy Lee.

In *Jazz* the film, I fully expected to get the left's absolutely favorite, indispensable, utterly predictable chimera: the big, bad conformist 1950s. To his credit, Burns seems to acknowledge that something was lost when the music moved from the dance floor to the academic lounge. The documentary includes a funny interview with lindy hopper Frankie Manning, who recalls his bewilderment — and anger — when he took stage to dance for Dizzy Gillespie and Gillespie hit him with the frantic rhythms of bebop. Burns also includes a photo of audience members looking baffled at the beboppers. These fans were not idiots, just pop music fans. Burns does not ridicule them the way many jazz musicians did. But he doesn't give much time to black critics of bop. Louis Armstrong, in particular, dismissed it as "crazy, mixed-up chords that don't mean nothing at all." The song, Armstrong insisted, was lost amidst all of the skunking and riffing.

The pop songs Armstrong performed and immortalized, such as "It Was Just One of Those Things" and "Struttin' With Some Barbecue" were considered a "sell out." As writer

Gerald Early notes in the documentary, Armstrong was ridiculed by other musicians and more militant post-war blacks who thought he was an Uncle Tom because (in Early's words) "whites loved him so much." Beboppers thought he was musically passe.

BUT BURNS PREFERS TO EXALT SATCHMO AS AN unacknowledged race warrior (he criticized Eisenhower, after all), thereby tying Armstrong and every other black musician to the Struggle against the White Man. Once again, liberals will have their aggrandizing mythology reinforced: the postwar years were a time of great conformity and racism. That the period was in any way a more civil, well-mannered and sharply-dressed society — just look at Burns' own cavalcade of photos — and as such has a thing or two to teach us about our self-serving race obsessions and loss of adult style is not considered.

The idea that before the 1960s America was a caveman culture has become so embedded in our collective conscience that it's almost futile to point out how wrong — and how racist — it is. The critic Stanley Crouch, who has a conservative streak, observed that many jazz musicians weren't exactly homeless. Ellington was a swank, patrician character who enjoyed the finer things in life and lived at a time that in many ways was more civilized than our own.

"Duke Ellington was the greatest jazz composer who ever lived," wrote Crouch. His philosophy was based on the idea that, as he put it, "if it sounds good, it must be good." But the Duke was also, Crouch writes, "like many Negro jazz innovators, a favored child. He shared with Coleman Hawkins, Charlie Parker, Thelonious Monk, Miles Davis, and others a background in which he was pampered, tucked in, read to, and reared to believe in himself and his own opinions without reservation. Our simple-minded presumptions about color and conscience frequently dupe us into missing the facts of these matters. The restrictions of race had nothing to do with how these artists saw themselves when accurate expression of their imaginations demanded that they innovate." But in these race-obsessed times, nothing can be judged on how it sounds anymore. Everything is a Statement About the Struggle.

Some jazz fans blame the drop off of the music's popularity on racism, but this is such an absurd claim that even Burns doesn't take it seriously. After all, this is the racist country that sent Ella Fitzgerald, Count Basie, and other black swing artists to the top of the charts. It is the country in which only two kinds of music were allowed to be broadcast following the news of FDR's death: classical and a concert by Ellington. Yet Miles Davis once called pop music "white music," and Kareem Abdul-Jabbar, in a documentary about the great jazz label Blue Note, offered that "whites couldn't appreciate anything that came from black culture." All of that avoids one critical fact: since the be bop revolution, jazz has become harmony rather than melody-driven. Melodies make hits, which most people like. The popularity of jazz began to sink when musicians abandoned melody.

The collateral damage done by Ken Burns's latest opus could be very bad indeed: rock hipsters flocking to the Village Vanguard, pretending they've been there for years, tacky T-shirts, trendy public-radio tie-ins, and yet more CDs on sale at Starbucks. Just think of the legions of earnest, working-for-a-non-profit, support-your-independent-bookstore, recount-forever liberals popping Theolonious Monk and Miles into the Volvo CD player as they shuttle from happy hour to yoga class.

It's enough to make a decent person turn to teen pop.

Mark Gauvreau Judge is author of *If It Ain't Got That Swing: The Rebirth of Grown-Up Culture*.

The Cocktail Hour: Do's and Don'ts

From the book entitled *The Hour* by Bernard DeVoto.
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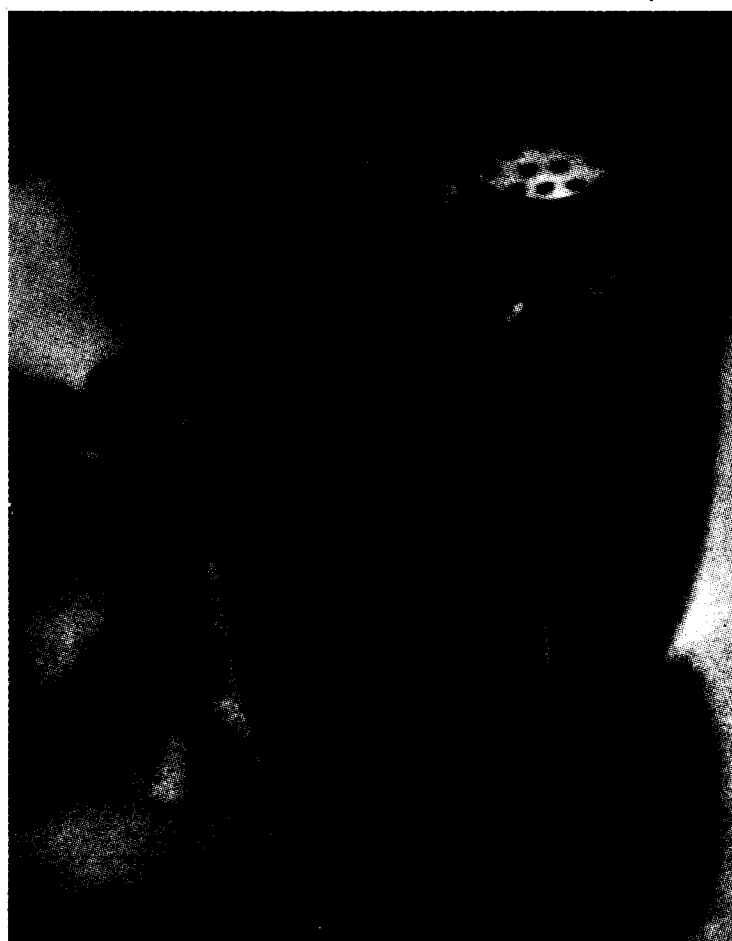
THERE ARE ONLY TWO COCKTAILS. ONE CAN BE described straightforwardly. It is a slug of whiskey and it is an honest drink. Those who hold by it at 6:00 p.m. offend no canon of our fellowship.

Scotch, Irish, rye, bourbon at your will — but of itself alone. Whiskey and vermouth cannot meet as friends and the Manhattan is an offense against piety. With dry vermouth it is disreputable, with sweet vermouth disgusting. It signifies that the drinker, if male, has no spiritual dignity and would really prefer white mule; if female, a banana split.

To make a slug of whiskey, you pour some whiskey on some ice. The slug of whiskey is functional; its lines are clean. Perhaps the friend for whom you make it will want two or three drops of bitters. Fine: there is no harm in bitters, so long as they are Angostura — all others are condiments for a tea-shoppe cookbook. If he wants fruit salad in it, remind him that cocktails are drunk, not eaten, but go along with him as far as a thin half-slice of orange or, better, one of lemon peel. Deny him pineapple, cherries, and such truck as you would cyanide. If he asks for sugar, tell him you put it in to begin with, and thereafter be wary in your dealings with him. For sugar means that he is backsliding and will soon cross the frontier to join the heathen, with bottles of grenadine and almond extract in his pack. But before you give a slug of whiskey to anyone be sure that it is cold. Cocktails are cold.

With the other cocktail we reach a fine and noble art, and we reach too the wars over the gospel that have parted brothers, wrecked marriages, and made enemies of friends. It is here that the heresies burgeon and the schismatics bay. I suppose it is natural enough. Those who seek the perfect thing must have intense natures; there are many roads for them to take, all difficult, none lighted more than fitfully. No wonder if they mistake marsh fires for light, or when they find a light believe it is the only one. From their love comes their tirelessness to defend and praise their love — tenaciously, arrogantly, intolerantly, vindictively. We may understand how cults form with the martini as with all arts, how rituals develop, how superstitious or even sorcerous beliefs and practices betray a faith that is passionate and pure but runs easily to fanaticism. But though we understand these matters we must not be lenient toward them for they divide the fellowship. Always remember that differences among ourselves will give arms to the heathen. Frighten a woman with a bit of ritual and you may produce a hostess who will serve Manhattans. Affront a man with cultish snobbery and you may turn him, God forbid, to rum.

For instance there is a widespread notion that women cannot make martinis, just as some islanders believe that they cast an evil spell on the tribal fishnets. This is a vagrant item of male egotism: the art of the martini is not a sex-linked character. Of men and women alike it requires only intelligence and care — oh, perhaps some additional inborn spiritual fineness, some feeling for artistic form which, if it isn't genius, will do quite well. Or take the superstition, for I cannot dignify it as heresy, that the martini must not be shaken. Nonsense. This perfect thing is made of gin and vermouth. They are self-reliant liquors, stable, of stout heart; we do not have to treat them as if they were plover's eggs. It does not matter in the least whether you shake a martini or stir it. It does matter if splinters of ice get



into the cocktail glass, and I suppose this small seed of fact is what grew into the absurdity that we must not "bruise the gin." The gin will take all you are capable of giving it, and so will the vermouth. An old hand will probably use a simple glass pitcher, as convenient or functional; it has no top and so cannot readily be shaken. But if a friend has given you a shaker, there are bar strainers in the world and you need have no ice splinters in your martinis.

We have proved our friends, but anyone else's invitation to a cocktail party or casual suggestion that we stop by for a drink may take us to a house where martinis are made of sweet vermouth or of sweet mixed with dry. It is a grievous betrayal of trust; the bottles should not even be kept on neighboring shelves, still less brought near the martini pitcher. Indeed, sweet vermouth should not be kept on any shelf in my house or yours; the heathen put it to many uses but we know none for it. And, I suppose, nothing can be done with people who put olives in martinis, presumably because in some desolate childhood hour someone refused them a dill pickle and so they go through life lusting for the taste of brine. Something can be done with people who put pickled onions in: strangulation seems best.

But there is a deadlier enemy than these, the man who mixes his martinis beforehand and keeps them in the refrigerator till cocktail time. You can no more keep a martini in the refrigerator than you can keep a kiss there. The proper union of gin and vermouth is a great and sudden glory; it is one of the happiest marriages on earth and one of the shortest-lived. The fragile tie of ecstasy is broken in a few minutes, and thereafter there can be no remarriage. The beforehander has not understood that what is left, though it was once a martini, can never be one again. He has sinned as seriously as the man who leaves some in the pitcher to drown.

Sound practice begins with ice. There must be a lot of it, much more than the catechumen dreams, so much that the gin smokes when you pour it in. A friend of mine has said it for all time; his formula ends "and five hundred pounds of ice." Fill the pitcher with ice, whirl it till dew forms on the

glass, pour out the melt, put in another handful of ice. Then as swiftly as possible pour in the gin and vermouth, at once bring the mixture as close to the freezing point of alcohol as can be reached outside the laboratory, and pour out the martinis. You must be unhurried but you must work fast, for a diluted martini would be a contradiction in terms, a violation of nature's order. That is why the art requires so much ice and why the artist will never mix more than a single round at a time, counting noses.

And I'm sorry, you are not a bartender. There are cultists whose pride is to achieve the right proportion by instinct, innate talent, the color of the mixture, or what Aunt Fanny said about born cooks. They are extreme fanatics and would almost as soon drink an Alexander as measure out their wares. I honor a great many of them who have served me sound martinis made of what they thought of as perfected skill. I honor them — but the martinis vary from round to round, and one or another must fall short of perfected skill. Serenely accept the cultist's scorn and measure your quantities with an extra glass.

There is a point at which the marriage of gin and vermouth is consummated. It varies a little with the constituents, but for a gin of 94.4 proof and a harmonious vermouth it may be generalized at about 3.7 to one. And that is not only the proper proportion but the critical one; if you use less gin it is a marriage in name only and the name is not martini. You get a drinkable and even pleasurable result, but not art's sunburst of imagined delight becoming real. Happily, the upper limit is not so fixed; you may make it four to one or a little more than that, which is a comfort if you cannot do fractions in your head and an assurance when you must use an unfamiliar gin. But not much more. This is the violet hour, the hour of flush and wonder, when the affections glow and valor is reborn, when the shadows deepen magically along the edge of the forest and we believe that, if we watch carefully, at any moment we may see a unicorn. But it would not be a martini if we should see him.

So made, the martini is only one brush stroke short of the perfect thing, and I will rebuke no one who likes to leave it there. But the final brush stroke is a few drops of oil squeezed from lemon rind on the surface of each cocktail. Some drop the squeezed bit into the glass; I do not favor the practice and caution you to make it the rind, not peel, if you do. And, of course, you will use cocktail glasses, not cups of silver or any other metal, and they will have stems so that heat will not pass from your hand to the martini. Purists chill them before the first round. If any of that round (or any other) is left in the pitcher, throw it away.

The goal is purification and that will begin after the first round has been poured, so I see no need for preliminary spiritual exercises. But it is best approached with a tranquil mind, lest the necessary speed become haste. Tranquility ought normally to come with sight of the familiar bottles. If it doesn't, feel free to hum some simple tune as you go about your preparations; it should be nostalgic but not sentimental, neither barbershop nor jazz, between the choir and the glee club. Do not whistle, for your companions are sinking into the quiet of expectation. And you need not sing, for presently there will be singing in your heart.

Remember always the three abominations are: (1) rum, (2) any other sweet drink, and (3) any mixed drink except one made of gin and dry vermouth in the ratio I have given.

Bernard DeVoto (1897-1955) was a critic, historian, editor, and author of more than a dozen books, including Mark Twain's America (1932).

These men pledged their lives, their fortunes, and their sacred honor for a just cause.



What are you willing to do?

The Claremont Institute finds the answers to America's problems in the principles on which our nation was founded. These principles are expressed most eloquently in the Declaration of Independence, which proclaims that "all men are created equal and are endowed by their Creator with certain inalienable rights...."

We believe that informed citizens will make the right choices for America's future. Since 1979, the Institute has educated citizens on the relationship of public issues to the principles of the Declaration of Independence and the Constitution by:

- Publishing acclaimed books, such as *A New Birth of Freedom* and *Vindicating the Founders*;
- Publishing a review of books;
- Hosting excellent speakers at our annual Churchill dinner in Los Angeles (December 2, 2000); Lincoln Day seminar and dinner in Washington, DC (February 12, 2001); Presidents Club weekend (May 4-5, 2001, Palm Springs); Constitution Day luncheon (September 17, 2001); annual trips abroad (Rome, Jerusalem, Hong Kong, London);
- Writing opinion articles for leading newspapers across the country;
- Providing speakers at public events;
- Maintaining four websites: www.claremont.org; www.founding.com; www.foundingfather.com; www.missilethreat.com

The Founders endowed our Republic with sound principles and a framework for governing that is unmatched in the history of mankind. The prosperity and freedom of America can only be made secure if they are guided by a return to these basic principles as our country enters the 21st Century.

"For the past 20 years, The Claremont Institute's unswerving dedication to the relentless study of the principles of the American Founding provide for all of us who are lovers of this great land a beacon of light."

— Rush Limbaugh

Now is your chance to join our cause and be part of this growing, California-based organization. The Claremont Institute is a non-profit, tax-exempt educational and charitable organization. There are several different levels of membership:

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Patriots Club (\$100 and over) members receive selected Institute briefings and the services below.

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Questions? Call Mike Finch at 909-621-6825 or e-mail at info@claremont.org.

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